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BROADCASTING

Broadcast Advertising

Vol. 17 • No. 3

AUGUST 1, 1939
WASHINGTON, D. C.

Foreign
$4.00 the Year

$3.00 the Year
15c the Copy

Published Semi-Monthly, 25th issue (Yearbook Number) Published in February

Aug. 1, 1939

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The Things People Ask US

"Excuse me, gentlemen, but could you tell me the name of this WOR sponsor?"

We turned and looked at him.

"That, sir, is a man whose name we can't reveal, better known as Adams, and famous for the commodity he makes."

He received this statement with gentle indifference.

"His sales increased 200% after the first WOR broadcast," we continued, "and a few weeks later they had jumped from two to six-thousand units per week."

He gazed up at us with blue but meditative eyes.

"Excuse me, gentlemen," he began again, "but didn't the recent Hooper-Holmes New York listening study show that, on a Monday to Friday average, WOR was FIRST in total families listening?"

"It did, sir. And that on Saturday, 46% more families were listening to WOR than to the next most popular station."

"Wouldn't it be wise, then, to combine good sales with listening and show people you manage both?"

"That, sir," we agreed, "is an IDEA!" Then, turning hastily on our heel, we beckoned frantically for the orchestra to begin.

WOR

PATSY MONTANA
WLS ARTIST
Featured in Republic's New Picture "Colorado Sunset"

HOLLYWOOD SHOWMANSHIP IN CHICAGO

...at WLS of course!

WLS in Chicago has one of the largest live talent staffs on any radio station in the country. More than 100 radio artists participate regularly in WLS programs. No sustaining recorded or transcribed program has been broadcast on WLS for more than seven years. WLS carries no daytime network sustainers. Everything is live talent.

Popularity of WLS acts and personalities is reflected in the number of them featured in Hollywood motion pictures. Gene Autry, Smiley Burnette and Max Terhune are all from WLS. Present staff members recently featured in pictures are Patsy Montana, Lulu Belle and Scotty, Hoosier Hot Shots, Maple City Four and Salty Holmes. Republic has bought two WLS programs for production this fall: "WLS National Barn Dance" and "Hometown."

Live talent programs with famous radio stars are the reasons for WLS extensive coverage of the entire Middle West. WLS programs are produced and presented by the WLS staff. They are entirely different from the network sustainers which listeners can hear over their hometown stations. To hear WLS programs, listeners must tune to 870 kilocycles—WLS itself.

WLS Gets Results

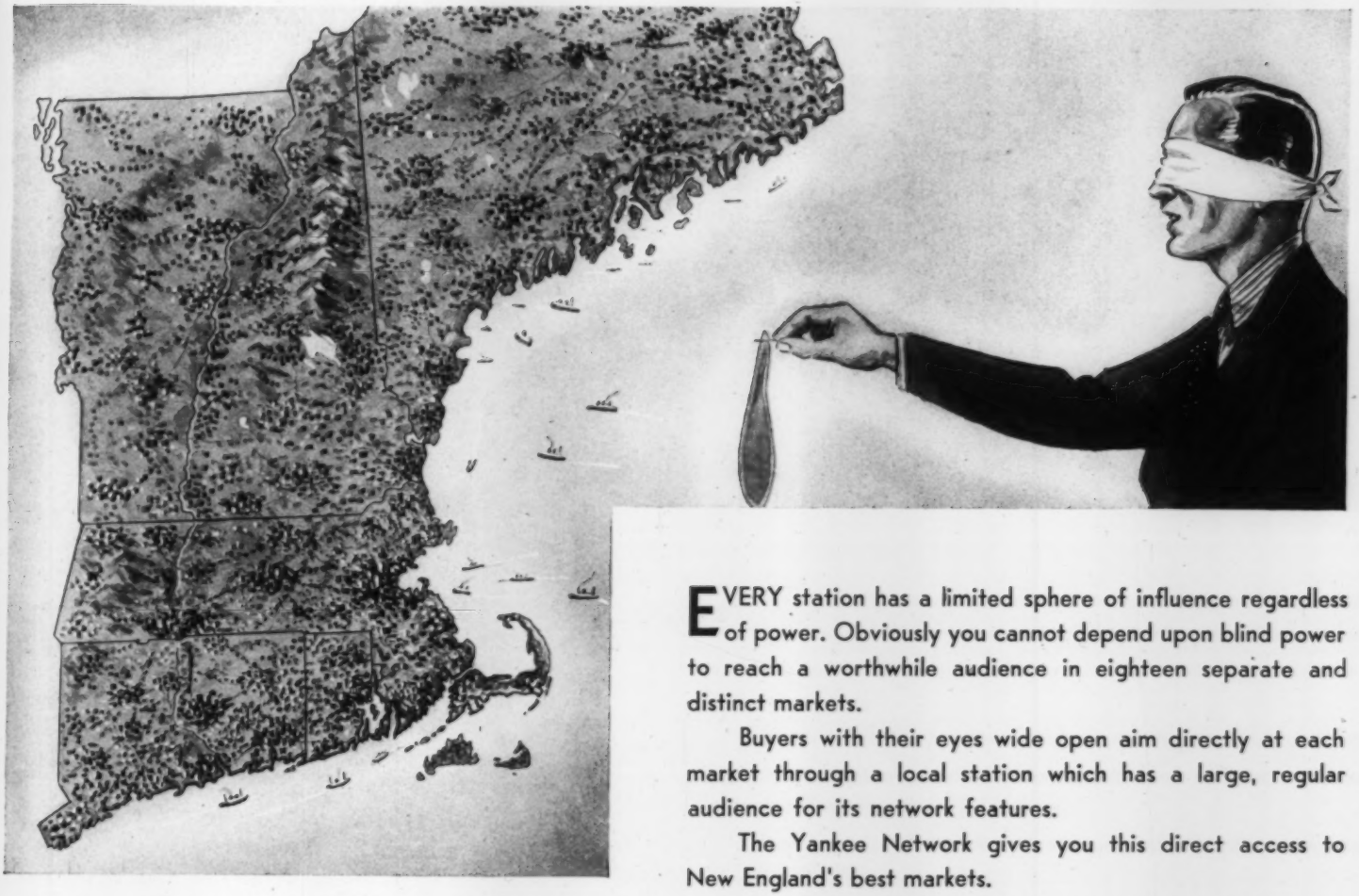
WLS

Burridge D. Butler, *President* CHICAGO Glenn Snyder, *Manager*

Represented By:

JOHN BLAIR & COMPANY, *New York, Chicago, Detroit, Los Angeles, San Francisco*

You can't play . . .
"PIN THE TAIL TO THE DONKEY"
In New England



EVERY station has a limited sphere of influence regardless of power. Obviously you cannot depend upon blind power to reach a worthwhile audience in eighteen separate and distinct markets.

Buyers with their eyes wide open aim directly at each market through a local station which has a large, regular audience for its network features.

The Yankee Network gives you this direct access to New England's best markets.

It reaches eighteen spots where population density and consumption of goods assure maximum results in retail turnover.

It offers you the most intensive means available in New England to coordinate distribution and advertising effort and thus avoid the costly disappointment of blind groping.

18 STATIONS

WNAC	Boston	WSAR	Fall River
WTIC	Hartford	WNBH	New Bedford
WEAN	Providence	WHAI	Greenfield
WTAG	Worcester	WBRK	Pittsfield
WICC	Bridgeport, New Haven	WLLH	Lowell, Lawrence
WNLC	New London	WLNH	Laconia
WCSH	Portland	WRDO	Augusta
WLBZ	Bangor	WCOU	Lewiston, Auburn
WFEA	Manchester	WSYB	Rutland

EDWARD PETRY & CO., INC.
National Sales Representative

THE YANKEE NETWORK
21 BROOKLINE AVE. BOSTON, MASS.

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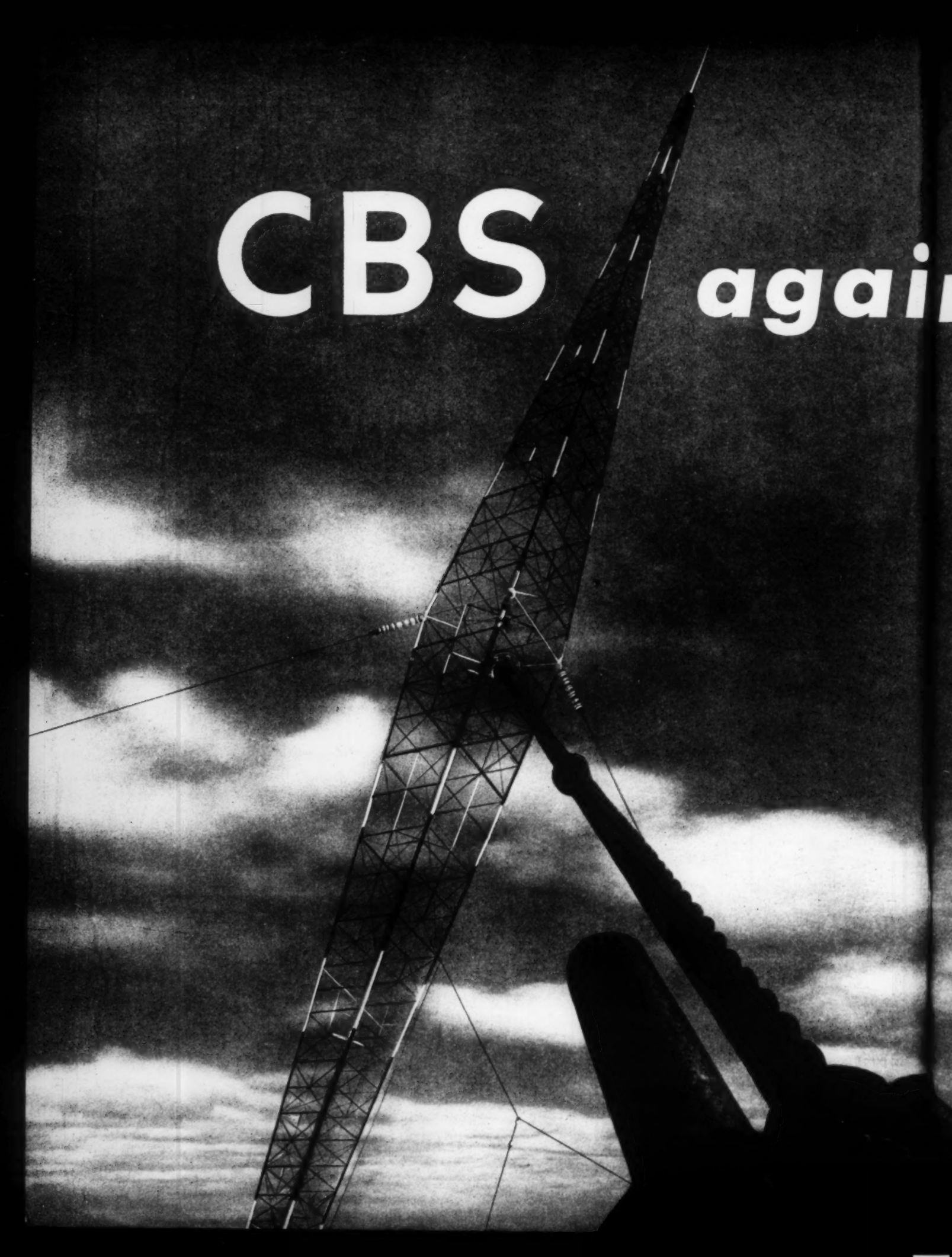
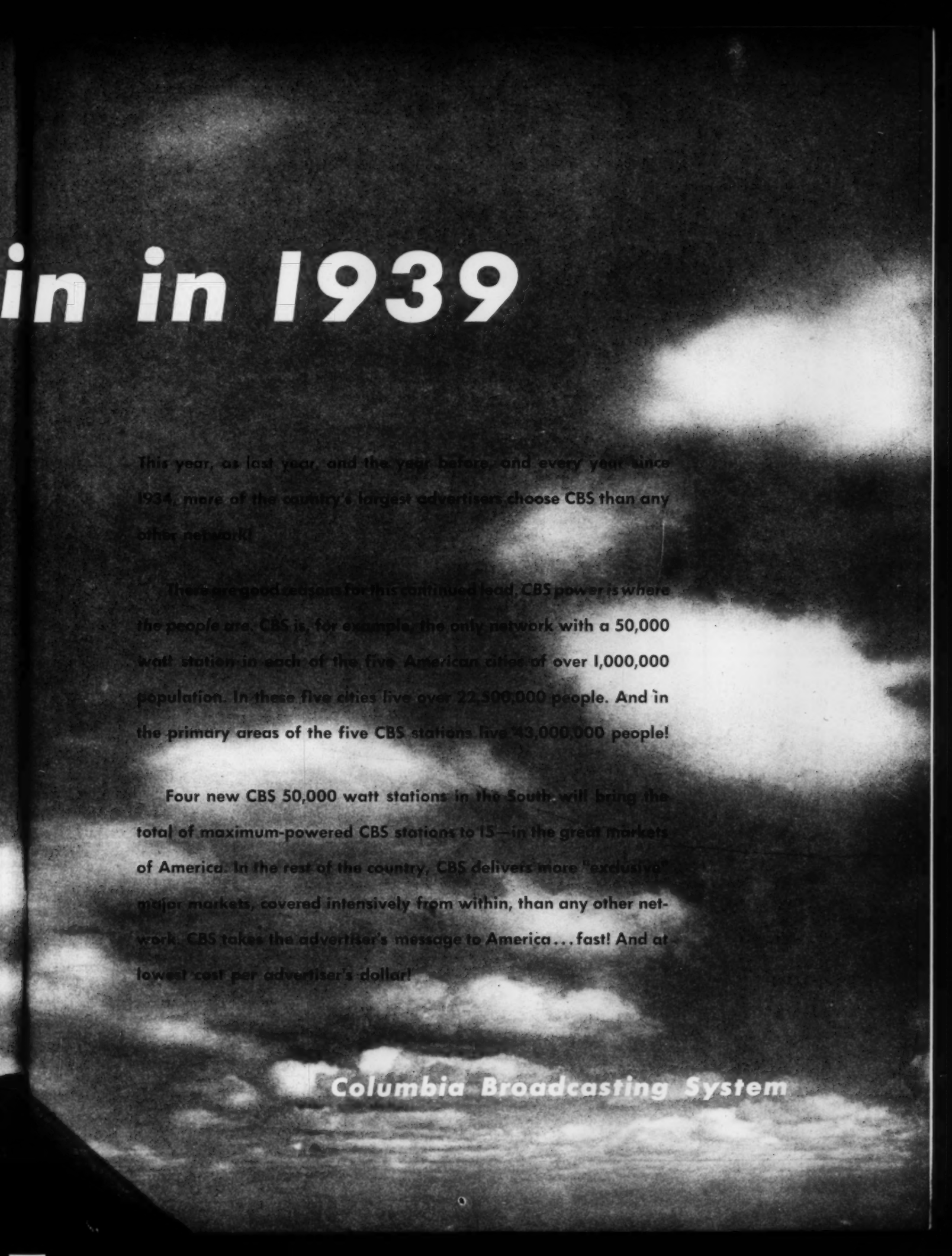

CBS
agai


in in 1939
This year, as last year, and the year before, and every year since 1934, more of the country's largest advertisers choose CBS than any other network!
There are good reasons for this continued lead. CBS power is where the people are. CBS is, for example, the only network with a 50,000 watt station in each of the five American cities of over 1,000,000 population. In these five cities live over 22,500,000 people. And in the primary areas of the five CBS stations live 43,000,000 people!
Four new CBS 50,000 watt stations in the South will bring the total of maximum-powered CBS stations to 15—in the great markets of America. In the rest of the country, CBS delivers more "exclusive" major markets, covered intensively from within, than any other network. CBS takes the advertiser's message to America... fast! And at lowest cost per advertiser's dollar!
Columbia Broadcasting System

THE DETROIT NEWS

WWJ

EST. AUG. 20 · 1920
920 KC.
DETROIT, MICH.

An Open Letter to Radio Advertisers and Agency Time Buyers

Gentlemen:

Where can you spend your advertising dollars and get more back? What great market offers the most promise of big returns from fall and winter campaigns?

The answer to both questions, in our opinion, is un questionably---DETROIT.

Business has been good in Detroit all through 1939. Tremendous gains have been made in nearly all major classifications of business. For example, the figures for the first six months of 1939 compared with the same months of 1938 show:

AUTOMOBILE PRODUCTION.....UP 55.7%

HOME BUILDING.....UP 79.3%

PASSENGER CAR DELIVERIES.....UP 265.0%

Add to the importance of these great increases the significance of healthy plus indicators in bank debits, bank clearings, industrial power consumption, retail sales and big gains in many other divisions of business and it is easy to understand why Detroiters are looking to the fall and winter months with a great deal of optimism, indeed!

Detroit should be a "must" on all your fall and winter schedules, as should WWJ. For ALL SURVEYS show that WWJ is the favorite radio station of Detroiters---that no other Detroit station even closely approaches the listener-interest commanded by WWJ in this important market!

Very truly yours,

RADIO STATION WWJ

National Representatives,
The GEORGE P. HOLLINGBERY CO.,
New York, Chicago, Kansas City, Atlanta.

This really makes sense, don't you think?

Premise 1: CALIFORNIA FARMERS ARE THE MOST PROSPEROUS IN THE NATION.
Premise 2: CALIFORNIA FARMERS ARE THE MOST RADIO-CONSCIOUS IN THE NATION
Premise 3: KGO IS THE ONLY NORTHERN CALIFORNIA STATION WITH A FULL-FLEDGED SCHEDULE OF AGRICULTURAL PROGRAMS BUILT SPECIFICALLY FOR CALIFORNIA FARMERS.
Conclusion: KGO IS THE LOGICAL GATEWAY THROUGH WHICH TO REACH HALF-A-MILLION RURAL CALIFORNIA RADIO FAMILIES OF WAY-ABOVE-AVERAGE BUYING POWER.

KGO

COMMANDS THE EXPOSITION MARKET

NATIONAL BROADCASTING COMPANY.
A Radio Corporation of America Service,
111 Sutter Street, San Francisco, Calif.

If you're interested, we'll be glad to quote facts and figures proving any or all of our three premises.

EIGHT MILLION MIDDLE-
CANADA DRY
PRESENTS
"INFORMATION PLEASE"

E. BROWS* MUST BE RIGHT..

..and 350,000 grocers agree, when the NBC *Blue* helps Canada Dry increase Sales 23%

America wakes up on Tuesdays...the night when "Information *Pleases*." It was back in May, 1938 that "Information Please" was first heard as a sustaining program over the Blue Network. Alert critics hailed it with delight; fan mail soared; but radio critics—while admitting its entertainment value—labelled the program "too highbrow for commercial use." Fortunately for millions of listeners, Canada Dry thought otherwise and so November 15, 1938 saw "Information Please" make its bow as a sponsored show.

Big Boy Blue Blows!

Starting with a chain of 43 stations, Canada Dry found results so favorable that the list was increased to 59 stations, within six months. Here was another program that swiftly demonstrated the selling power of the Blue Network. During the first seven months of the program Canada Dry sales averaged a 9.2% increase over the year before, while general grocery sales decreased 3.5%. For May, 1939 (latest figures on hand), sales of Canada Dry products showed a *23% gain* over May, 1938! No wonder that Big Boy Blue is blowing his horn so vigorously!

Give yourself something to crow about

Coming in the mail is your copy of "America Wakes Up on Tuesdays," the complete success story of Canada Dry's "Information Please." Watch for it.

The same great national medium that put the sparkle in Canada Dry sales is available to you in the NBC Blue Network. Its stations are so strategically located that they are able to deliver your program to 95% of all the major market radio families of the country—not to mention the cream of the small town and rural audience. And if coverage like that doesn't bowl you over, you'll be absolutely overwhelmed when you find out how little it costs to put Big Boy Blue to work for you. A flick of the forefinger on the phone will bring an NBC representative with the whole story (and a contract, too).

NBC BLUE NETWORK

NATIONAL BROADCASTING COMPANY

A RADIO CORPORATION OF AMERICA SERVICE

"Better Buy Blue"

*...not only middle-brows, but "all-brows" tune in the Blue, with its programs that reach from Toscanini to Tin Pan Alley, from Shakespeare to Skits.

WITHIN THE "GOLDEN HORSESHOE"

WHERE SOFT-DRINK "TOPERS" SPEND

Twenty Million Bucks A YEAR

A camel goes eight days without a drink. But who wants to be a camel? Certainly not the people within the "Golden Horseshoe," that amazingly live mid-west market served by WJR in Detroit and WGAR in Cleveland. Here, soft drink "topers" lay out twenty million bucks a year for thirst-quenching, carbonated beverages — practically as much as the entire state of New York. That's what you call a *spending* market . . . eight million folks who own more automobiles than any single state in the Union . . . who buy groceries to the tune of nearly three quarters of a billion a year . . . invest a hundred million annually in drug products. One market and two great radio stations that are "*musts*" in your sales planning!

THE GREAT STATIONS OF THE GREAT LAKES

W·J·R
THE GOODWILL STATION
Detroit

W·G·A·R
THE FRIENDLY STATION
Cleveland

BASIC STATIONS ... COLUMBIA BROADCASTING SYSTEM ★ EDWARD PETRY & COMPANY, INC., NATIONAL SALES REPRESENTATIVES

BROADCASTING
and
Broadcast Advertising

Vol. 17. No. 3 WASHINGTON, D. C., AUGUST 1, 1939 $3.00 A YEAR—15c A COPY

James L. Fly to Become Chairman of FCC

By SOL TAISHOFF

TVA General Counsel Succeeds McNinch; Takes Office Sept. 1; Confirmation by Senate Deemed Certain

IGNORING political considerations, President Roosevelt on July 27 named James Lawrence Fly, general counsel of the Tennessee Valley Authority and a top-ranking Government attorney, to the FCC, succeeding Chairman Frank R. McNinch, who resigned two days earlier because of continued ill health. Mr. Fly is slated for the chairmanship.

A Government lawyer for the last ten years, serving during both the Hoover and Roosevelt administrations, Mr. Fly will take office Sept. 1. His nomination is subject to Senate confirmation, which is expected without delay. The White House checked with members of the Senate prior to the actual nomination to ascertain whether Mr. Fly's confirmation could be procured promptly since adjournment is only days away. There appears to be no opposition.

Mr. Fly, who is 41 years old, was selected for the FCC post after a wide field of prospective candidates had been surveyed by the President. He now resides at Knoxville, TVA headquarters, but was born in Texas and practiced law in New York before becoming a Special Assistant Attorney General in 1929.

NEW CHAIRMAN OF THE FCC

JAMES LAWRENCE FLY

A Merit Appointment

The appointment was hailed as one based entirely on merit. Although he has had no previous association with radio or communications, Mr. Fly's wide experience in Government regulatory work, plus his reputation for keen analytical judgment, were viewed as excellent qualifications for the new assignment. His appointment was espoused by Senator Norris (R-Neb.), father of TVA and a vigorous Government power advocate.

While friends described Mr. Fly as a liberal, they nevertheless pointed out that he has not been a militant Government ownership advocate in the utility field, except insofar as water power is concerned. Despite the many tribulations of the TVA with which he has been identified since 1934, Mr. Fly himself has kept out of controversy.

In transmitting the nomination to the Senate July 27, the President designated the Tennessee Democrat as a member, rather than as chairman of the FCC, for the McNinch unexpired term ending June 30, 1942. It was understood, however, that the President would name him chairman following confirmation or at the time he assumes office.

Mr. Fly arrived in Washington July 26 after an overnight flight from Portland, Ore., where he has spent considerable time since last May on a special mission with Bonneville Dam activities.

Chairman Wheeler (D-Mont.) of the Senate Interstate Commerce Committee, which considers FCC matters, said he would have Mr. Fly appear before the committee in executive session July 31. No public hearing was contemplated. Accompanied by Mr. McNinch, Mr. Fly called on Senator Wheeler July 27.

Contrary to published newspaper reports, Mr. Fly has not served as secretary to Senator Harrison of Mississippi. A cousin, Eugene Fly, did serve in that capacity and now is a Collector of Internal Revenue in Mississippi.

Chairman McNinch, absent from the FCC since last May due to impaired health, will not return to the Commission, though his resignation does not become effective until Sept. 1. He will enter private law practice in Washington but it is understood he already has been retained as Government counsel and advisor in several cases, primarily in the power field. Mr. McNinch leaves the FCC after nearly two years of stewardship during perhaps the most tumultuous period of its five years.

President Roosevelt did not accept Mr. McNinch's resignation until he formally announced appointment of the new member. The appointment is for Mr. McNinch's unexpired term, which ends June 30, 1942. Mr. McNinch, in turn, had been appointed on Aug. 17, 1937, to fill the vacancy created by the death of Anning S. Prall, of New York.

At the time the diminutive North Carolinian was named to the FCC, the President announced it was for a temporary period to "clean up the mess". He did not take office until October 1937, with the understanding that he would return to the chairmanship of the Power Commission within three months. Bitter internal strife developed within the Commission after Mr. McNinch sought to institute many reforms in its operations. This culminated earlier this year in a proposed reorganization bill drafted with the President's support, under which the FCC was to be reduced from seven to three members. The bill, however, has been pigeonholed. The internal feud revolved largely around Commissioners George H. Payne and T. A. M. Craven, who were frequently at loggerheads with the Chairman.

Fresh Viewpoint

While there were strong indications that Mr. McNinch would not return to the FCC [BROADCASTING, July 1, 15], he did not formally submit his resignation until July 25, at which time he lunched at the White House with the President. Following an hour-and-a-half conference, the chairman stated he had advised the President of his desire to relinquish administrative work because of his health. This was followed two days later by the Fly nomination.

Selection of Mr. Fly for the chairmanship, rather than elevation of one of the incumbent Demo-

cratic commissioners to the post, was interpreted in quarters close to the FCC as growing out of a desire on the part of the President to infuse new blood and inject a fresh viewpoint into FCC affairs. Commissioner Frederick I. Thompson, who succeeded the veteran Judge E. O. Sykes last April, had been mentioned as the possible successor to Chairman McNinch at the time of his appointment. Commissioner T. A. M. Craven, former chief engineer, who was elevated to the Commission at the time Chairman McNinch was named in 1937, likewise had been regarded as Mr. McNinch's probable successor.

Mr. Fly will be the youngest man to hold the FCC chairmanship. He was born on a farm in Dallas County, Texas, Feb. 22, 1898, coming from pioneer Colonial stock. Like Comdr. Craven, he is a graduate of the U. S. Naval Academy but he served in the Navy only three years, retiring in September, 1923. He then studied law at Harvard, winning scholarships each year.

Mr. Fly began his Government legal career in 1929 when Attorney General William D. Mitchell appointed him as special assistant to handle a number of major anti-trust suits. Under the New Deal, he was in charge of the preparation of two major TVA cases which won favorable decisions from the Supreme Court, and in 1935 he assisted former SEC General Counsel John J. Burns in defending the Utility Holding Company Act. He became general solicitor of the Tennessee Valley Authority in 1934 and three years later was named general counsel as "a fitting recognition of his present responsibilities and past services." During the past year he has been on a special assignment to make a study of the Bonneville Washington Power Administration and has spent considerable time in the Pacific Northwest.

The Legal Approach

In legal parlance Mr. Fly is described as a "desk" type lawyer—of brilliant mind though not dynamic manner. While never a prominently publicized official, he had been mentioned in the past for a major Department of Justice post, such as Solicitor General and Assistant Attorney General in charge of anti-trust work. In many big government cases he has supervised detailed preparations and writing of briefs, pursuits in which associates describe him as unexcelled.

Mr. Fly's brilliant legal background, however, does not overshadow his ability as administrator. Many of his assignments, such as the current Bonneville Dam project, have been executive rather than legal. His former associates pointed out that he has always followed the practice of delegating authority, and that therefore he would be inclined to favor departmentalization of operation such as exists at the FCC.

The only inkling in his written works as to his views on utility ownership by the Government was found in an address delivered in 1937 before the American Bar Association convention. Speaking on the role of the Federal Government in the conservation and utilization of water resources, and defending the need for Government ownership of power utilities where water resources predominate, his remarks appeared to have little bearing on possible similar views pertaining to broadcasting or communications.

Calm and Personable

TVA associates describe the new chairman as a man who approaches problems in a legal-minded way, taking all the time necessary to ferret out all the facts rather than indulging in hasty or sensational conclusions. A stickler for accuracy, he was said to be unusually energetic and industrious, and almost entirely unexcitable.

Personable and easy to meet, the incoming chairman is soft spoken, with a decided Southern accent. During his TVA career, it was reported he gained the friendship of power companies and won their admiration because of his fair manner in handling Government-utility negotiations.

In another quarter it was stated Mr. Fly is not an individualist in his functioning and believes in cooperation and consultation with associates. He has never used his position for personal glory or press fanfare. Because of the thorough manner, legal background and technical knowledge acquired in his naval service, his friends believe he would quickly grasp a knowledge of broadcasting and communications generally.

McNinch Recommendations

The White House July 28 released an exchange of correspondence between Mr. McNinch and the President, on the resignation. Mr. McNinch on July 25 left with the President a letter in which he set forth the reasons for his resignation. He said that in justice to his family and himself he felt he should not continue "to carry the onerous burdens of an administrative position and I have decided to reenter the practice of law, which I hope may be more lucrative but which will certainly be less burdensome and exacting physically than my present duties."

Mr. McNinch said the procedure for handling the work of the Commission had been radically reorganized and certain personnel changes effected during his tenure, "all of which have contributed toward a marked improvement in the efficiency of the Commission." He added, however, that he felt "it is not possible to reach the maximum of efficiency in the public interest with the present personnel and within the inadequate framework of the Communications Act. It was this conviction that moved me to recommend to you last winter a reorganization of the Commission and a revision of the Act, both of which recommendations I now renew."

He advised the President that when he assumed the chairmanship Oct. 1, 1937, he found the Commission "so fraught with problems and difficulties and the Commission so disunited that not until now have I felt justified in respectfully requesting you to release me from further service at the Commission." Mr. McNinch stated that at the close of his service, Sept. 1, he would submit to the President a summary report "of the major improvements in the FCC since I took office."

Accepting the resignation, the President, July 28, in a "My dear Frank" letter, said he did so "with reluctance and sincere regret because of the high type of service you have rendered in the public interest."

"I realize that I imposed a heavy burden upon you when I asked you to resign as chairman of the Federal Power Commission and assume the duties of the chairmanship of the FCC. I know that the task of reorganization, with which you were confronted, was a heavy one, and I appreciate your present conviction that you could not see the work through to completion without continuing with the Commission indefinitely.

"For all that you have done—much of it imposing a tremendous strain on your physical strength—I desire to express gratitude and appreciation. And although your retirement from the public service is deeply regretted I do hope that in the less exacting demands of private life you will find speedy restoration to health and strength."

While Mr. McNinch will engage in private law practice in Washington, he is certain to be named special counsel and advisor on particular assignments for the Government this fall. Because he is regarded as an expert on power and because the Administration is actively engaged in a number of broad power development projects, it is thought his counsel will be sought more in the power line than in communications.

Following the White House conference, Mr. McNinch returned to his office at the FCC to pack his personal effects. He announced his intention of making a long boat trip, to Europe or South America, returning this fall. Though suntanned after a long sojourn at nearby beaches, Mr. McNinch did not appear to have regained his full strength. The retiring chairman said that while radio has proved a "tremendously interesting work" he felt that "power is my field".

Pioneer Colonists

The history of the Fly family is the history of America itself. His paternal great-great-great grandfather, John Fly, was a founder of the James City, Va., colony in 1636. At the time of the Revolution, many members of the family had moved 60 miles south to Northampton County, N. C. His great-great grandfather, another John Fly, left North Carolina about 1790 and settled in Warren County, Tenn. A large number of descendants of John Fly now reside in Tennessee, Mississippi, Texas and other Southern States.

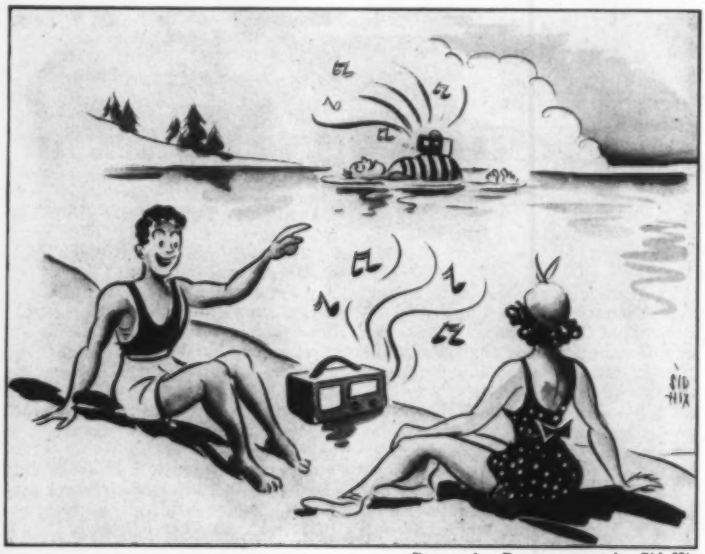
During the Civil War, the grandfathers of both his paternal and maternal branches served in the Confederate Army and his paternal grandfather was killed in that conflict. His grandmother and her children, including Mr. Fly's father moved to Texas shortly after the Civil War and settled 20 miles southeast of Dallas.

Mr. Fly attended country grade schools at Seagoville, Dallas County, until 1914 and graduated from the Dallas City High School in 1916, where he early displayed talents by participating in debates and oratorical events. While attending school his work included farming, a job at a cotton gin,

(*Continued on page 69*)

FCC Meets Aug. 7

THE FCC at its meeting July 26 decided to hold another "summer session" to clear up accumulated business on Aug. 7. Because two of its members—Walker and Payne—leave for the Pacific Coast Aug. 9 on FCC business, it was decided to schedule the meeting at that time. The FCC at its meeting July 26 and 27 virtually cleaned up its docket with all cases ready for decision said to be current.



Drawn for BROADCASTING by Sid Hix

"He Says He Can't Afford to Get Two Weeks Behind the Rest of the World!"

AFRA and Broadcast Groups Discuss Means to Avert Strike

Revised Code Contains Concessions in Rates; Adoption of Compromise Plan Foreseen

PROSPECT that a threatened strike of announcers and talent in Chicago would be averted was indicated July 28 as BROADCASTING went to press. National officials of the American Federation of Radio Artists met in Chicago July 27 and 28 with directors of the Chicago chapter to discuss provisions of the compromise code for local broadcasts.

The revised code had not been submitted to the broadcaster-agency committee — representing networks, stations, advertisers and agencies—on July 28, but it was expected a code would be promulgated the week of July 31. Mrs. Emily Holt, AFRA executive secretary, and her assistant, George Heller, flew to Chicago from New York July 26 to participate in the negotiations.

Adopted by Members

The new code, containing purported concessions to the broadcaster-agency committee, was approved July 25 at a general meeting of the Chicago chapter of AFRA, during which the 500 members present discussed the preceding negotiations and elected new officers. The fee for announcers broadcasting spot announcements was dropped from the new code and, in general, the scale for actors, singers and announcers was reduced from 5 to 10% down the line. But the new 36-page code specifies a scale for announcers of quarter-hour, half and full hour shows.

The broadcaster-agency committe had flatly refused to pay staff announcers any additional fee for reading commercial copy except when a sponsor wanted a special announcer. The resulting deadlock had broken off negotiations on July 14 [BROADCASTING, July 15] and forced concessions from AFRA in their meeting of July 25.

S. N. Strotz, manager of NBC-Chicago and chairman of the combined committee of broadcasters and advertising agencies, on July 15 addressed a letter to Chicago agencies which said in part, "The AFRA representatives said the withdrawal was due to your committee's unanimous adherence to the principle that staff announcers should continue to read commercial copy without the payment of a special fee in addition to their staff salaries in those cases in which the sponsor or the advertising agency does not choose to employ a special announcer."

Jack Scott, partner of Schwimmer & Scott, prominent Chicago agency, and a member of the committee, wrote a comprehensive analysis of local radio advertising. Mr. Scott's discussion formed the basis of arguments by the broadcaster-agency committee.

In the new code, the announcers' scale for a quarter-hour show across the board on Class A (50,000-watt) stations was reduced from a proposed $70 weekly to $50. The scale for one 15-minute program with rehearsal was reduced from $16 to $13; for half-hour show with rehearsal, from $26 to $21. It is understood that the new code provides for a weekly salary of $50 for staff announcers (reduced from $70), but staff announcers on this scale are to broadcast only sustaining shows and spot announcements.

The new code provides reductions in the scale for singers of from 5 to 10%. A quarter-hour period under the new actor's scale is reduced from $16 (rehearsal included) to $15, for half-hour shows from $26 to $24. In short, the new code is approximately 60% of the present network scale.

New officers elected at the July 25 meeting are: Virginia Payne, re-elected president; Sam Thompson, re-elected first vice-president; Charles Calvert, second vice-president; Bob Purcell, re-elected third vice-president; Gene Byron, recording secretary; Philips Lord, treasurer; Ray Jones, re-elected executive secretary. The membership also voted on delegates to the national AFRA convention to be held at Chicago's Hotel Sherman, Aug. 24-27.

The Chicago Federation of Labor, which owns and operates WCFL, that city, joined with the Illinois State Federation and the AFL in expelling the Chicago chapter of AFRA recently for "gross disloyalty". According to John Fitzpatrick, head of CFL, the expulsion followed the formation of an AFL committee to aid the Newspaper Guild during the boycott of two Chicago newspapers employing about 2,000 AFL members. A member of the Chicago chapter of AFRA became a member of this committee, which action he said "aided the CIO" and was therefore "traitorous to the AFL". The contract of AFRA with WCFL does not expire until mid-September, Mr. Fitzpatrick said, and until then AFRA members will continue on the station.

Scott's Summary

Mr. Scott on July 13 addressed a letter to AFRA summarizing his analysis of local radio advertising. Mr. Scott's analysis had been the basis of the committee's arguments. Tracing the development of local radio advertising he said, "The local advertiser is only able to take advantage of a limited portion of the total circulation of any radio station and an especially small percentage of the total audience reached by one of the major stations in a city the size of Chicago. Even the largest of local advertisers, such as Marshall Field, at best, can take advantage of less than 50% of the audience reached by a major station."

Continuing, he said, "Another very important factor that enters into the limited results that a local advertiser can obtain from radio is the fact that the chains have the preference of the better times on the air. Since the total talent cost of the local advertiser's program is charged to the one market, the result is that the local advertiser pays more for talent per city and pays for time that in most instances is less desirable."

Mr. Scott's analysis traced the development of local radio in Chicago beginning with the 1933 period. He discussed the bulk package deals and mentioned station rate reductions offered local advertisers. "Even in spite of these packages, and the other things that have been done by the broadcasters to bring the cost down to the local advertiser, local radio today is more expensive to the local advertiser than ever before", he said.

Comparison of Costs

In discussing costs Mr. Scott wrote, "As a comparison between the costs charged against the Chicago market for two shows of the same type, one network and one local, let's use the following comparison: *Professor Quiz* broadcast over 34 stations—approximate estimate talent cost including prize money, $1,000 weekly. The *Salerno Questionnaire* broadcast over WMAQ, approximate estimated talent cost, including prize money —$300 weekly. Based on these figures, on the *Professor Quiz* show, the advertiser charged $87 against the Chicago market, whereas the entire $300 of the *Salerno Questionnaire* was charged against the Chicago market. The sponsor of *Professor Quiz* took complete advantage of the total circulation coverage of WMAQ, whereas, because of Chicago distribution only, Salerno could take advantage only of the Chicago portion, or less than one half of the total circulation coverage of WMAQ."

The main point of disagreement between the committee and AFRA concerned announcers' fees. Of this point, Mr. Scott said, "In connection with the request for pay for staff announcers to broadcast commercial messages, we have always felt that wherever the advertiser could afford to pay extra for a special announcer, one should be employed. However, we certainly believe that the advertiser who finds it necessary to purchase a program at the lowest possible cost should be given the opportunity to have his commercial messages delivered by an employee of the radio station at no additional cost to the advertiser."

After discussing the increased costs if the AFRA announcers' scale were adopted, Mr. Scott said, "We believe that to establish a fee for staff announcers, regardless of the size of the fee, would kill more than 50% of all local radio over a reasonable period of time."

The analysis concluded, "Nothing should be done that will destroy the opportunity of the small local advertiser to use radio for time cost only when found necessary, and, we do know one thing—if anything is done to increase the cost of advertising to the local advertiser who is using the minimum type of program, it will kill local radio for this most important type of radio buyer."

No Demand

OBSERVING that there is "some competition in the radio industry" Rep. William M. Whittington (D-Miss.), veteran member of the House, declared in Congress July 25 that there is no demand for regulation of that competition. In addressing the House on ICC legislation dealing with inland waterways, the Mississippian, who has been a member of the House since 1925, observed that regulation of competition "should be in response to public demand".

FCC Action Seen On Power Boosts

May Hold August Session on 250 watts, 5 kw. Petitions

WITH APPLICATIONS piling up for increases to the new 5,000 watts and 250 watts night power maximums for regional and local stations respectively the FCC may hold a special meeting during August to act on non-conflicting requests which do not involve interference questions.

At its final regular meeting prior to summer recess July 26, the FCC did not take action on any of the pending regional and local applications, since the new regulations under which the power increases are made possible do not become generally effective until Aug. 1. It was tentatively agreed, however, that another meeting would be held during August at which time it might pass upon a batch of the pending applications which meet all requirements as to non-interference and form.

Little difficulty is anticipated with most of the applications of local stations for power increases from 100 watts to 250 watts at night, since few can raise any serious technical problems. Such applications have been coming in rapidly.

The 5,000 watt regional grants for Class III-A stations probably will be less speedy, because of possible engineering questions. The FCC announced last month that final action will be deferred on pending applications requesting such power which would involve "serious interference problems if other pending applications requesting use of 5 kw. power on such frequencies are granted." [BROADCASTING, July 15].

Although technically, the FCC will be in recess until Sept. 5, meetings may be called at about two-week intervals for clearance of routine.

GENERAL MILLS, Minneapolis, has added WFMD, Frederick, Md., to its Wheaties football schedule for this fall, linking the station with WOL, Washington, to carry pro games of the National League. General Mills also has shifted Harry McTigue, who has been announcing baseball games of the Rochester Red Wings on WSAY, to Washington, D. C., where he is assisting Walter Johnson on WJSV. Garnett Marks, assistant to Arch McDonald in covering the Yankee and Giant home games on WABC, New York, takes over the Rochester post.

Court Rule May Bring Recording Fees

Appeal Deemed Likely In Vital New York Decision

By BRUCE ROBERTSON

SUPPLEMENTING a permanent injunction issued earlier in the month in favor of RCA against WNEW, New York, [BROADCASTING, July 15] restraining the station from further unauthorized broadcasts of RCA phonograph records, Federal District Judge Vincent L. Leibell on July 24 handed down his formal decision which may have the eventual effect of requiring payment by broadcast stations of performing rights fees covering such recordings.

Although the opinion was not regarded in legal and radio circles as all-inclusive, since it deals only with the common law of the State of New York, it nevertheless was significant since it held that the broadcasting of phonograph records without special authorization constitutes "unfair competition" by the station, both with record manufacturer and recording artist. The opinion came in the case of RCA against Paul Whiteman, WBO Broadcasting Corp., licensee of WNEW, and Elin Inc., sponsor of the record program. NAB, through Stuart Sprague, New York attorney, intervened.

Appeal Likely

Because of the possible far-reaching effect of the decision it is felt an appeal is likely, particularly since clarification of the fundamental issue is desirable. The WNEW case was regarded as an extreme one, in that the court indicated it was much concerned with the fact that the stations, in the particular programs in question, traded on the name of the artists by simulating a line of one-way conversation which did not clearly denote that the artist was not present in the studio.

It was pointed out that if the unfair competition question had been raised under normal circumstances, where a station simply performs phonograph records without any attempt to convey the impression that the performance is being rendered by the artist in person, the outcome might have been far different. Mr. Sprague offered the view that the decision need not be followed by courts of other States or even by the State courts of New York.

It was learned [BROADCASTING, July 15] that RCA shortly will formulate a "licensing plan" under which stations would pay a "reasonable fee" for the performing right. The manufacturing company, in turn, would seek to divide the fees equitably among the recording artist, copyright proprietor and manufacturing company. Decca Records and Columbia Recording Corp., other major manufacturers of phonograph records, also were said to be studying the decision closely but made no announcement regarding a procedure similar to that planned by RCA.

While NAB was studying the opinion, it was thought likely that it would seek in some fashion, in the interests of the industry as a whole, to carry the Leibell decision up to the U. S. Circuit Court of Appeals in New York. This conclusion will depend upon conferences with WNEW counsel and NAB's own attorneys.

It was felt, in view of the court's decision in favor of RCA, that the National Association of Performing Artists, which has sought for several years to build up an ASCAP type of operation whereby stations would be licensed by it to broadcast phonograph records, had received a decided jolt.

Although RCA does not plan to act pursuant to the injunction until it has devised its station license plan, WNEW has temporarily discontinued use of RCA Victor and Bluebird records. Two of WNEW's major recorded programs, *Make-Believe Ballroom* and *Milkman's Matinee*, have used Victor Record themes of those names, now discontinued.

History of Case

The case began when Whiteman asked for an injunction against station and sponsor to prohibit them from broadcasting his records. RCA then filed suits against both Whiteman and his defendants. Whiteman withdrew his suit. Station and sponsor did not defend RCA's suit, but Whiteman did. It was heard last December [BROADCASTING, Dec. 15, Jan. 1] with David Mackay as counsel for RCA; Maurice J. Speiser, general counsel for NAPA, representing Whiteman, and Mr. Sprague, for NAB.

Case was concerned chiefly with nine records made by Whiteman for RCA and its predecessors, although testimony concerning Guy Lombardo, Tommy Dorsey and other artists recording for RCA was also introduced. Of the nine Whiteman records, three were made under a contract in which Whiteman assigned to the Victor Co. all rights "to manufacture, advertise, license or sell" the recordings.

Four of these records were made under a verbal agreement, concerning which the court held that "in the absence of any reservation by Whiteman of his common law property rights, all his rights therein passed to the complainant [RCA]." The remaining two records were made under a contract containing a restriction that the "company does not acquire the right to manufacture or sell or otherwise dispose of the records for broadcasting."

The court held that Whiteman, "because of his unique interpretations of musical selections," had a common law property right in his renditions. RCA, according to the decision, had no such common law right, because in recording the discs it did not make the essential "intellectual and artistic contributions." In the first two contracts the Court said that Whiteman had passed his right along to the company. In the third contract he had reserved his artistic right, but this did not deprive the company of its right to prohibit the broadcasting of the records or to limit their use to phonographs in homes.

"I think," said the court, "that the main basis for enjoining the defendants, WBO Broadcasting Corp. and Elin Inc., from sending over the radio the musical renditions impressed on complainant's [RCA] phonograph records, is that such conduct on their part constitutes unfair competition. It is evident that the complainant and the broadcasting stations using complainant's records are competitors in the business of public entertainment. . . . That the broadcasting of phonograph records containing Whiteman's renditions constitutes unfair competition with Whiteman is manifest. Hence, the defendants should be enjoined to protect Whiteman's interests also."

Final Decree

The final decree, also dated July 24, ordered a writ of injunction with six provisions: (1) Restraining Whiteman from claiming any right to control the commercial use of records made under the first two contracts (2) restraining Whiteman from claiming the sole right to control the use for broadcast of records made under the third agree-

(*Continued on Page 64*)

Full Text of Decision in RCA vs. Whiteman Case . . .

FOLLOWING is the text of the final decree handed down July 24 by Judge Leibell of the U. S. Court, Southern District of New York, in the case of RCA Mfg. Co. vs. Paul Whiteman, WBO Bcstg. Corp. and Elin Inc.:

Paul Whiteman, a performing artist and orchestra leader, filed suit in this Court against WBO Broadcasting Corp., owner and operator of station WNEW, and Elin Inc., sponsor of the programs which gave rise to this litigation.

Whiteman claiming to be a unique artist and performer in his field as an orchestra conductor, and also, by his peculiar interpretations of musical compositions, a creative musical artist, with a national and international reputation as such, sought an injunction against the defendants, WBO Broadcasting Corp. and Elin Inc., prohibiting the use for broadcasting purposes of any phonograph record, made and created by the plaintiff and his orchestra. Whiteman based his claim to injunctive relief on the grounds that such indiscriminate and unauthorized use of his records interfered with his common-law property right in and to his musical interpretations and renditions inscribed on said records; hindered his chances of obtaining contracts for the use of his services; forced him to compete with himself; curtailed his income based on royalties from such records; interfered with his agreement with RCA Victor Talking Machine Co.; and that defendants' actions constituted unfair competition with Whiteman in his various fields of activity.

By order of this court the RCA Mfg. Co. received permission to file a bill of complaint against both Whiteman and said defendants, which would be ancillary to Whiteman's main suit. The permission to file the bill was granted on the grounds that RCA has a deep interest in the litigation and one which was antagonistic to the claim asserted against the defendants by Whiteman. This court held that RCA also had a grievance against the defendants. The ancillary bill was filed.

The original suit of Whiteman against WBO Broadcasting Corp. and Elin Inc. was later withdrawn by stipulation and without prejudice. This left only the suit of RCA Mfg. Co. against Whiteman, WBO Broadcasting Corp. and Elin Inc. for trial. At the trial defendants, WBO Broadcasting Corp., and Elin Inc., elected not to put in a defense. Whiteman did defend.

Plaintiff, RCA, in its bill of complaint alleges that the use of its records by others for profit constitutes a wrongful exploitation of its property rights, results in a reduced demand for its records, deprives plaintiff of the services of artists who will not record unless they can be protected against injudicious and excessive repetitions over the radio of their recorded performances, causes a species of unfair competition resulting in damages in that it tends to destroy the saleability of plaintiff's records through constant repetition, and in the case of records manufactured after November 1932 constitutes a breach of contract resulting from violation of a restrictive covenant accompanying the sale of the records and expressed in the legend on the label attached to the records.

Furthermore, RCA contends that attempts by defendant Whiteman to license records for broadcasting and public performances, together with representations to the effect that he alone is entitled to grant such license, interferes with complainant's exclusive right to control the use of its records, damages its reputation, goodwill and business, tends to prevent the consummation of licensing agreements by complainant and constitutes unfair competition in that defendant Whiteman attempts thereby to exploit, as his own, property rights belonging to complainant.

Nine Numbers Specified

Plaintiff, RCA, and its predecessor companies, Victor and RCA Victor, have been engaged generally in the business of manufacturing, producing, recording, selling and distributing Victor phonograph records since October 1901.

Defendant, Paul Whiteman, for the past 20 years has been the conductor of an organization of musicians known as "Paul Whiteman and His Orchestra". His orchestra has played for the motion pictures, on the stage and in night clubs, in addition to broadcasting over the radio and making phonograph recordings.

Defendant, WBO Broadcasting Corp. owns and operates radio station WNEW. It was over this station that the phonograph records listed below were played without permission. All records that were issued after November 1932 by plaintiff and its predecessors, bore a legend stating that such records were not licensed for radio broadcasting. Defendant, Elin Inc., sells refrigerators and sponsored the programs over station WNEW, which gave rise to this litigation.

The following nine compositions are specifically named in the plaintiff's bill of complaint. They were recorded by Whiteman for RCA's predecessor corporations pursuant to the terms of various contracts, three in number. Their titles are:—"San"', "O So Blue", "Whiteman Stomp", "By the Sycamore Tree", "You Excite Me", "Cuban Love Song", "There's Nothing Else to Do", "Singing a Happy Song" and "A Waltz Was Born in Vienna".

The first three of the above named compositions were recorded by Whiteman under the terms of a written contract, dated April 30, 1924 and covering the period from May 12, 1924 to and including May 11, 1928. Paragraph "3" of this contract recites the rights and privileges Mr. Whiteman granted RCA's predecessor. It is here quoted in full:

Contract Provisions

"3. Mr. Whiteman, for himself and by authority and on behalf of the orchestra and each and all of the members thereof, hereby grants to the Victor Company the right, at any and all times during the period of this agreement and thereafter, to manufacture, advertise and license or sell, and any and all these rights and powers, in all parts of the world, records of the performances of the orchestra of selections of which approved master records have been heretofore made or shall hereafter be made including the right to produce and reproduce the recorded performances of the orchestra by any and all mechanical, electrical or other means for disseminating or transmitting the same, and grants the further right to make use of his name and of the name of his orchestra in connection with the manufacture, with the advertisement and with the license or sale of such records and in any and every way in connection with sound reproduction and transmission and likewise grants all rights and equities of himself and of the orchestra and of each of its members in and to the matrices and records upon which are at any time reproduced the performances herein referred to."

The next four of the above named selections were recorded under the terms of a verbal agreement referred to in a letter dated September 8, 1931 signed by I. E.

Lambert for RCA Victor Co. Inc. and accepted by Mr. Whiteman. The terms of that agreement will be hereinafter discussed; but in effect Whiteman resumed making recordings for RCA's predecessor, on the basis of a fixed royalty instead of a lump sum payment, with no time limit during which the contract was to be in effect, and with the other terms and provisions of his 1924 contract continued.

The last two musical selections were recorded by Mr. Whiteman under the terms of a third contract dated September 5, 1934, covering a period of two years. Paragraph "2" of Provision "2" of this contract deals with the rights granted by Mr. Whiteman to RCA Victor and is here set forth in full:—

"You grant to the company, its associates or subsidiaries, the right to manufacture and sell, or to refrain therefrom, throughout the world, records embodying the performances to be recorded hereunder, upon such terms as the company may approve, but only such records commonly known as phonograph records of the type now sold to the public for use with talking machines, and not otherwise. It is understood the company does not acquire the right to manufacture or sell, or otherwise dispose of, records for broadcasting. You grant to the company the right to use your name and photograph, if desired, in connection with the manufacture, advertising and sale of said records without further payment than herein provided, and likewise grant the company all rights in and to the matrices and records upon which are reproduced the performances to be made hereunder."

Common Law Right

Complaint concedes that defendant Whiteman, because of his unique interpretations of musical selections, had a common law property right in his renditions. Under the first and second contracts of April 30, 1924 and Sept. 8, 1931, Whiteman could not assert these rights, in the case of the former because he had in very definite terms passed all rights to the plaintiff and in the latter instance verbally by a general reaffirmation. In each instance he failed to reserve any rights to himself. But the right was there in each case.

The fact that until recent years the problems of a common law right in musical interpretations and renditions had never been adjudicated is no indication that the common law does not apply. As was stated in the case of *Funk v. United States*, 290 U. S. 371 at 383: "It has been said so often as to have become axiomatic that the common law is not immutable but flexible, and by its own principles adapts itself to varying conditions."

Prior to the advent of the phonograph, a musical selection once rendered by an artist was lost for ever, as far as that particular rendition was concerned. It could not be captured and played back again by any mechanical contrivance then known. Thus the property right of the artist, pertaining as it did to an intangible musical interpretation, was in no danger of being violated. During all this time the right was always present, yet because of the impossibility of violating it, it was not necessary to assert it.

The fact that Whiteman contributed something in addition to that which was already the subject of a copyright, the musical composition itself, cannot in any way detract from his right to protect what is his property, over and above existing property rights of the composer. Mr. Justice Stern states this proposition in *Waring v. WDAS Broadcasting Station*, 327 Pa. 433, as follows: "The law has never considered it necessary for the establishment of property rights in intellectual or artistic productions that the entire ultimate product should be the work of a single creator; such rights may be acquired by one who perfects the original work or substantially adds to it in some manner."

Power to Bargain

Granting that the artist, Mr. Whiteman, has a common law property right in and to his unique interpretation of musical selections it follows that he had the power to bargain away this right. This he did in his 1924 contract with RCA's predecessor. Paragraph "3" of that contract has been quoted above.

Defendant Whiteman contends that the word "license" as used in that agreement had a special meaning. Some testimony was taken at the trial to develop if possible the peculiar meaning claimed for the word "license", in this business of making and merchandising phonograph records. The burden of proving a "trade usage" meaning of an apparently common word, which would limit its generally accepted meaning is upon the one who contends for the more limited meaning. I have concluded that the defendant Whiteman has not successfully borne this burden.

The limited meaning which defendant Whiteman would place upon the word "license", that it refers to RCA's transactions with foreign subsidiaries or related companies is further refuted by the following quotation from his contract:

"* * * and likewise grants all rights and equities of himself and of the Orchestra and of each of its members in and to the matrices and records upon which are at any time reproduced the performances herein referred to."

Whiteman's second contract with RCA's predecessor was a verbal one. It is referred to in a letter dated Sept. 8, 1931 signed by I. E. Lambert for RCA Victor Co., and accepted by Mr. Whiteman. The letter sets forth only the new financial arrangement between the parties. From the testimony it would appear that the other terms of his 1924 agreement were reaffirmed by the parties.

In the absence of any reservation by Whiteman of his common law property rights, all his rights therein passed to the complainant. *Ingram v. Bowers*, 57 F. (2d) 65; *Noble v. One Sixty Commonwealth Ave., Inc.*, 19 Fed. Supp. 671.

Rights of Recording Firm

In paragraph 2 of Section 2 of Whiteman's third contract, dated Sept. 5, 1934, made with RCA's predecessor, it is provided: "It is understood the company does not acquire the right to manufacture or sell, or otherwise dispose of, records for broadcasting". This definitely reserved to Whiteman his common law property right in and to his musical interpretations and renditions in respect to the broadcasting of records made under this contract. Complainant concedes this.

One of the most controverted issues was whether or not the part played by RCA Victor Co. in the recording of Whiteman's interpretation and renditions constituted such intellectual and artistic contributions as to vest in RCA a common law property right in what went on the record. I am of the opinion that it did not.

RCA's predecessors contributed to the finished product (the master matrix) the fruits of their research and experience in the production and manufacture of phonograph records, and the skillful use of a highly sensitive mechanism. Their musical directors advised on the placing of the musicians during the recording and on the volume of the various musical instruments; their acoustic experts arranged their appliances to produce a clear and well balanced rendition; their engineers and technicians operated the mechanical devices in the actual recording on the matrix. All these were important and necessary in producing a perfect recording of the performance, but the performance was Whiteman's.

None of the efforts of RCA were directed towards perfecting Whiteman's artistic interpretation of the musical composition, but all were directed towards "capturing" completely for the matrix or master record his unique interpretations. The well-known manufacturers of phonograph records use the same apparatus and methods. The average person could not tell by listening to the finished record which company made the record or which musical director supervised its recording or who manipulated the dials, arranged the microphones or handled the other mechanical devices used in getting the physical recording. But many of the public can recognize Whiteman's peculiar interpretation of certain popular musical recordings.

Another question presented is whether or not the sale of a Whiteman record, without any restrictive notice, would give the purchaser of the record the right to broadcast its contents over the radio, without special authorization to do so. I think it would not, for several reasons, principally because it would constitute unfair competition.

Not a Publication

It is well settled that the performance of a work is not of necessity a publication of it. "At common law, the public performance of the play is not an abandonment of it to the public use". *Ferris v. Frohman*, 223 U. S. 424. Publication may be either "general" or "limited". The distinction between the two is well explained in the leading case of *Werckmeister v. American Lithographic Co.*, 134 Fed. 321. See, also, *American Tobacco Co. v. Werckmeister*, 207 U. S. 284.

There is some basis for the argument that the purchaser of a Whiteman record, even without a restrictive notice appearing on the label attached to the record, would gain only the right to use it for the purpose for which it was made, that is to reproduce its contents through the use of a phonograph, which would not carry with it the right to broadcast the contents of the record over the radio. The very nature of the phonograph record indicates the limited form of its publication. It was intended for listeners at a phonograph, not for a radio audience.

The phonograph records made by RCA in November 1932, and subsequently, bore a special label notifying the purchaser that it was "Not Licensed For Radio Broadcast". Of itself the notice was sufficient to "limit" the publication of the records, and on that ground also an injunction could issue against the broadcasting of all records bearing said legend, unless the restriction is against public policy.

There does not appear to be any public policy to be found in the constitution, the statutes or the decisions of our courts that would affect this limited-use notice, unless such limitation is an unreasonable restraint of trade, which it is not. It is a restriction to protect complainant from unfair competition. There is nothing illegal about it. The interests of the public are not harmed by the restricted use of the phonograph record. Broadcasting stations can give their public Whiteman's orchestra, by hiring the orchestra at a proper price, as some of them do. To hold that the equitable servitude embodied in the label-notice, prohibiting the use of the record for broadcasting, is against public policy, would make the principal beneficiaries of this judicial bounty those who in broadcasting such record seek to "harvest the fruits of another's labor", at practically no cost to themselves.

Unfair Competition

I think that the main basis for enjoining the defendants, WBO Broadcasting Corp. and Elin Inc., from sending over the radio the musical renditions impressed on complainant's phonograph records, is that such conduct on their part constitutes unfair competition. It is evident that the complainant and the broadcasting stations using complainant's records are competitors in the business of public entertainment.

As was stated by Mr. Justice Pitney in *International News Service v. Associated Press*, 248 U. S. 215, 234:—

"We need spend no time, however, upon the general question of property in news matter at common law, or the application of the Copyright Act, since it seems to us the case must turn upon the question of an unfair competition in business."

The Justice then went on to discuss unfair competition and the property rights protected from unfair competition. He wrote (pages 235-6; 240):—

"The parties are competitors in this field; and, on fundamental principles, applicable here as elsewhere, when the rights or privileges of the one are liable to conflict with those of the other, each party is under a duty so to conduct its own business as not unnecessarily or unfairly to injure that of the other. *Hitchman Coal & Coke Co. v. Mitchell*, 245 U. S. 229, 254, 62 L. ed. 260, 277, L.R.A. 1918C, 497, 38 Sup. Ct. Rep. 65, Ann. Case 1918 B, 641.

"Regarding the news, therefore, as but the material out of which both parties are seeking to make profits at the same time and in the same field, we hardly can fail to recognize that for this purpose, and as between them, it must be regarded as quasi property, irrespective of the rights of either as against the public.

"In order to sustain the jurisdiction of equity over the controversy, we need not affirm any general and absolute property in the news as such. The rule that a court of equity concerns itself only in the protection of property rights treats any civil right of a pecuniary nature as a property right (*Re Sawyer*, 124 U. S. 200, 210, 31 L. ed. 402, 405, 8 Sup. Ct. Rep. 482, *Re Debs*, 158 U. S. 564, 593, 39 L. ed. 1092, 1105, 15 Sup. Ct. Rep. 900); and the right to acquire property by honest labor or the conduct of a lawful business is as much entitled to protection as the right to guard property already acquired (*Truax v. Raich*, 239 U. S. 33, 37, 38, 60 L. ed. 131, 133, 134, L.R.A. 1916D, 545, 36 Sup. Ct. Rep. 7, Ann. Cas. 1917B, 283; *Brennan v. United Hatters*, 73 N.J.L. 729, 742, 9 L.R.A. (N.S.) 254, 118 Am. St. Rep. 727, 65 Atl. 165, 9 Ann. Cas. 6986; *Barr v. Essex Trades Council*, 53 N.J. Eq. 101, 30 Atl. 881). It is this right that furnishes the basis of the jurisdiction in the ordinary case of unfair competition.

"But in a court of equity, where the question is one of unfair competition, if that which complainant has acquired fairly at substantial cost may be sold fairly at substantial profit, a competitor who is misappropriating it for the purpose of disposing of it to his own profit and to the disadvantage of complainant cannot be heard to say that it is too fugitive or evanescent to be regarded as property. It has all the attributes of property necessary for determining that a misappropriation of it by a competitor is unfair competition because contrary to good conscience."

Civil Protection

The reasoning and legal principles quoted above would bar Whiteman, acting alone, from licensing or authorizing any broadcasting station to play over the radio a phonograph record made by complainant. That is true even though Whiteman, as in his third contract, included a provision that the complainant did not acquire the right to manufacture or sell, or otherwise dispose of, records for broadcasting. The plaintiff would be entitled to protection of its "civil right of a pecuniary nature", its "conduct of a lawful business' against unfair competition, unless complainant expressly assents to competition from radio stations using complainant's phonograph records. In bringing this action complainant seeks to stop that practice and is entitled to the aid of the court by a proper decree enjoining the defendants accordingly.

That the broadcasting of phonograph records, containing Whiteman's renditions, constitutes unfair competition with Whiteman is manifest. Hence the defendants, WBO Broadcasting Corp. and Elin Inc., should be enjoined to protect Whiteman's interests also. The above quoted principles on unfair competition, so convincingly expressed by Mr. Justice Pitney, are available for Whiteman's protection as well as for complainant's.

Complainant and the defendant Whiteman have submitted proposed findings of fact and conclusions of law. The court has heard argument in respect thereof and has recast many of them. They have been rearranged and in final form have been signed and filed. I am now filing this memorandum, which states my reasons for reaching the conclusions aforesaid. A final decree is being entered in accordance with the conclusions of law heretofore filed.

MEMBERS of the American Association of Baseball Broadcasters gathered in Kansas City July 18 for the league's All-Star game. While they were broadcasting before the game, a storm broke and rained out the game as well as threw the station on its auxiliary transmitter for a while. When the game was played July 19, the sportscasters split up the chores. General Mills and Knox Reeves set up an eight-station network to carry the broadcast. Participating in the events were (l to r) Connie Desmond, WSPD, Toledo; Ed Gallaher, WCCO, Minneapolis; John Neblett, WBNS, Columbus; Walt Lockman, KMBC, Kansas City; Vic Lund, WIRE, Indianapolis; George Higgins, WTCN, St. Paul; Allan Hale, WISN, Milwaukee; Don Hill, WAVE, Louisville.

Five New Stations Are Authorized in Decisions by FCC

Pontiac, Mich., Hot Springs Among Those Granted

FIVE MORE new stations were authorized for construction by the FCC in decisions announced July 26 and 27, bringing to 33 the number added so far this year. On the latter date the Commission also issued proposed findings, which are tantamount to grants unless they are opposed by aggrieved parties, approving two other new stations.

The construction permits authorized were for stations in Pontiac, Mich.; Hot Springs, Ark.; Cookeville, Tenn.; Greenville, Miss., and Herrin, Ill. The proposed findings cover projected stations in Niagara Falls, N. Y., and Vincennes, Ind., both to be newspaper owned.

The new station in Pontiac will be licensed to Pontiac Broadcasting Co., with 1,000 watts daytime only on 1100 kc. In making this grant the Commission dismissed an application for 250 watts fulltime on 600 kc. in Pontiac filed by George B. Storer, Detroit industrialist and broadcaster. It also designated for further hearing the application of King-Trendle Broadcasting Corp., operator of WXYZ, Detroit, and WOOD-WASH, Grand Rapids, seeking 250 watts on 1440 kc. in Pontiac.

The successful company is headed by Harold E. Howlett, attorney, holding 7.8% of the stock, with Earle C. Kneale, vice-president, a manufacturer, holding 10%, and H. Y. Levinson, secretary-treasurer, publisher of the *Farmington* (Mich.) *Enterprise*, holding 50%. Other stockholders are W. S. Saunders, manufacturer, 7.8%; Frank A. Mercer, physician, 5.7%; L. Warren Gatley, physician, 7.8%; Murray N. Ashbaugh, 2.8%, and E. V. Howlett, physician, 7.8%.

Hot Springs Station

The new station in Hot Springs, which will operate with 100 watts night and 250 day on 1310 kc., was granted to Clyde E. Wilson, owner of the local Wilson Furniture Co., and Howard A. Shuman, formerly commercial manager of KTHS, Hot Springs. Mr. Shuman, in company with S. A. Cisler, manager of WGRC, New Albany, Ind., recently sold his interest in WHBB, Selma, Ala., to Bascom Hopson, owner of WJBY, Gadsden, and a son-in-law of FCC Commissioner Thompson. The new Hot Springs grant was on a petition to reconsider a previous denial, and KTHS was denied its petition to intervene.

The new station at Cookesville, Tenn., will operate with 100 watts night and 250 day on 1370 kc. Licensee will be M. L. Medley, merchant and farmer.

The new station at Greenville, Miss., will operate with 100 watts night and 250 day on 1310 kc., and will be licensed to John R. Pepper, wholesale grocer.

The Commission granted the application of Orville W. Lyerla for a new local at Herrin, Ill., on 1310 kc. with 250 watts day and 100 watts night. Commissioners Craven and Case dissented, while McNinch and Brown did not vote. Two competing applications were denied. Mr. Lyerla is the local postmaster.

The proposed findings, approving new stations, which require later ratification by the Commission, would authorize the *Niagara Falls Gazette* to build a 1,000-watt daytime outlet on 1260 kc., and the *Vincennes Sun-Commercial* to build a fulltime 100-watt outlet on 1420 kc. The Vincennes newspaper is one of a chain published by E. C. Pulliam, owner also of WIRE, Indianapolis.

In two other proposed findings, the Commission disapproved new stations in Brown City, Mich. (1,000 watts daytime on 880 kc.) and in Marysville, Cal. (250 watts on 1320 kc.)

Three Get Facsimile

THREE licenses covering experimental shortwave facsimile operations were authorized by the FCC in decisions July 27. National Accident & Life Insurance Co., operating WSM, Nashville, was granted a license for a 1,000-watt station on 25250 kc. A. H. Belo Corp., owner of the *Dallas News* and operator of WFAA, was given an identical grant. WBNS Inc., operating WBNS, Columbus, was granted a license covering a CP for 100 watts on the same frequency.

REPORTS that exhibitors and concessionnaires at the New York World's Fair, disgruntled with the poor attendance at the exposition to date, were considering drafting Lenox R. Lohr, president of NBC and formerly general manager of the Chicago Fairs of 1933-34, to put this Fair on its feet were squelched by Mr. Lohr's definite statement that he has no intention of taking any part in the Fair management beyond his present position as a member of the advisory board.

The FCC Cleans Up

TABULATING the results of its labors since reorganization of its hearing procedure last November, the FCC announced July 27 that it has disposed of 290 of a total of 325 broadcast hearing docket cases in that time—perhaps the best record in 12 years of Commission history. Of the 35 cases not disposed of since Nov. 15, the FCC said 12 could not be acted upon because of "contingencies beyond the control of the Commission," such as possible conflicts with the Havana Treaty and pending litigation. Of the remaining 23 docket cases, decisions were said to be in preparation for early action. In addition to the 325 cases, there were 19 separate issues heard only in recent weeks and therefore not available for action.

Ownership Changes Approved For Ten Stations by the FCC

Mrs. Roosevelt Acquires KTAT; Dumm, Hart and Lasky Get KROW; Storer Interests Get WALR

OWNERSHIP or control of ten broadcasting stations passes into new hands as a result of the FCC's decisions of July 26 and 27 authorizing assignments of license, most of which were granted without previous hearings. In taking these actions, the Commission continued to follow the policy of recent months of avoiding unnecessary hearings and making grants where the records are clear and there is no opposition. Considerations of newspaper, multiple or local ownership were apparently entirely ignored despite previous talk of testing those issues.

The July 26-27 decisions authorized transfers of KTAT, Fort Worth; KROW, Oakland, Cal.; WALR, Zanesville, O.; WJBL, Decatur, Ill.; WCMI, Ashland, Ky.; WBTH, Williamson, W. Va.; KEUB, Price, Utah; KOME, Tulsa; WAAF, Chicago; WAGA, Atlanta. Similarly on July 12-13 the Commission authorized nine other transfers along much the same line [BROADCASTING, July 15].

Mrs. Roosevelt Gets KTAT

Although required to go to hearing last year to secure approval of her purchase of KFJZ, Fort Worth, for which she paid $57,500, Mrs. Ruth G. Roosevelt, wife of Elliott Roosevelt, obtained a transfer of KTAT to herself July 26 without the formality of a hearing and only about a month after applying for authority to purchase the Fort Worth regional for $101,570 in cash. The Commission, however, made the acquisition of KTAT, 1,000 watts on 1240 kc., contingent upon her surrender of the license of KFJZ, a local on 1370 kc.

Mrs. Roosevelt, who shares all property with her husband under the Texas community property laws, buys the station from Raymond E. Buck, Fort Worth attorney, who acquired it in 1936 from the old Southwest Broadcasting System for $150,000. It is already an outlet of Mr. Roosevelt's Texas State Network.

KSFO Group Gets KROW

The transaction for purchase of KROW, Oakland, Cal., 1,000 watts fulltime on 930 kc., was made last November. A group representing 95% of the stock, headed by H. P. Drey, general manager, sells it for slightly under $110,000 to Wesley I. Dumm, owner of KSFO, San Francisco, who acquires 49% interest; Fred J. Hart, formerly manager of KGMB, Honolulu, 30%; Philip G. Lasky, manager of KSFO, 17½%, and Wallace F. Elliott, of the Tomaschke-Elliott agency in Oakland, 3½%. Mr. Lasky and Mr. Hart are expected to operate the station.

West Virginia Broadcasting Co., licensee of WWVA, Wheeling, acquires the 40% interest in WALR, Zanesville, O., held by Ronald B. Woodyard for a price of approximately $10,000. Controlled by George Storer, Detroit industrialist and broadcast station owner, who controls WSPD, Toledo, and WMMN, Fairmount, W. Va., among other radio interests, the corporation already held 50% of the station's stock. The other 10% is held by Frazier Reams, Toledo attorney. WALR is a 100-watt outlet on 1210 kc.

The *Decatur* (Ill.) *Herald* and *Review* acquires full control of WJBL, Decatur local, as a result of another decision based on a previous hearing. The newspaper company already owned 49% of the station's stock, and now buys the remainder for $7,650 from Charles R. Cook.

Transfer of WCMI, Ashland, Ky., to Gilmore N. Nunn and his father, J. Lindsay Nunn, owners of WLAP, Lexington, Ky., and part owners of the new KFDA, Amarillo, Tex., was also authorized without a hearing. The purchase price was undisclosed. They will own controlling stock, though a minority interest will continue to be held by the *Ashland Independent*.

WBTH, Williamson, W. Va., a 100-watt daytime station on 1370 kc. which went into operation last December, was purchased for an unstated sum by W. P. Booker, local power company employe, who was a minority stockholder. He acquires the controlling stock of George W. Taylor, local jeweler.

KEUB, Price, Utah, passes into the hands of its manager, Jack Richards, in partnership with A. W. McKinnon, under the Commission's decision. They paid $6,500 for the station, a 100-watt outlet on 1420 kc., which Sam G. Weiss, the seller, founded early in 1937.

KOME, Tulsa, a 250-watt daytime station on 1310 kc., which first went on the air last Christmas Day, becomes licensed to the Capitol Sales Corp. Harry Schwartz, former licensee, who is president of the Tulsa Federation of Labor, remains as head of the new company, owning 98% of its stock.

As a result of an internal reorganization, with stockholders remaining the same, WAAF, Chicago, is transferred from Corn Belt Publishers Inc. to Ralph W. Dawson, et al. Corn Belt Publishers Inc. publishes the *Chicago Daily Drovers Journal*. The Commission held a hearing on transfer of the station's license to the individual stockholders by name rather than under the old holding corporation.

Also as a result of a hearing, the Commission authorized the transfer of WAGA, Atlanta, to a Georgia corporation known as the Liberty Broadcasting Corp. The *Atlanta Journal* is 50% stockholder; Norman K. Winston, of New York, 49%; Harold A. Lafount, Washington, and Sanford H. Cohen, New York, ½% each.

Lutheran Hour Expands

THE *Lutheran Hour*, sponsored by the Lutheran Laymen's League in cooperation with the International Walther League, will return to the Mutual Network next Oct. 29 with an expanded list of stations. The 66 stations used last fall may be augmented by 37 others now under consideration by Kelly, Stuhlman & Zahrndt, St. Louis agency handling the fifth consecutive season of the series. The program will again be heard 1:30-2 p. m. (EST) over stations East of the Mississippi, 4:30-5 p.m. West of the Mississippi.

Compromise Pact Allocations Effective Feb. 1 Are Proposed

Mexican Border Stations Would Remain Under New Plan; Many Frequency Shifts Involved

A COMPROMISE, under which the terms of the Havana agreement covering broadcast allocations on the North American Continent may become effective next Feb. 1, but with the proviso that the Mexican border stations remain, appears the likely outcome of months of diplomatic negotiations.

After the Mexican Senate twice had refused to agree to the Havana treaty, which would have eliminated the border stations operated in the main by ex-American broadcasters, that country submitted an alternative proposal under which an administrative agreement, entirely divorced from the treaty, would be accepted by the four major nations of the continent. This treaty would permit Mexico to use six of its interior exclusive channel facilities on the border at specified locations.

Technical Advantages

It is understood that the State Department upon receipt of the alternative proposal, asked the FCC for its opinion. The FCC, following consideration of the entire matter, on July 27 is reported to have notified the State Department that from the engineering standpoint there were definite advantages to be gained through its acceptance. However, the past position of the Commission has been that it has not been satisfied with retention of the border stations, and it is not believed that it altered its view in that regard.

In the light of these developments, it is presumed the Mexican Government will be advised by the State Department that the proposal is acceptable. Unquestionably some mention will be made of the desire of this country and of Canada and Cuba, parties to the treaty, that steps be taken to ameliorate the border station situation in the near future.

If the Feb. 1 effective date is agreed upon, it will mean the FCC will be in a position to reallocate broadcasting facilities in this country in accordance with the terms of the Havana treaty. This will mean a substantial number of frequency shifts, with many stations sliding 10 to 30 kilocycles within the band 550 to 1600 kc. However, the fact that six of Mexico's exclusive channels would be used on the border instead of in the interior of the country, will complicate certain of the frequency assignments contemplated originally.

After receipt of advices from Mexico suggesting the administrative agreement, in lieu of the treaty, the State Department asked both Canada and Cuba for their views. Canada within the last few days has notified the Department that it is inclined to approve the Mexican proposal but did not flatly give its assent, apparently desiring to learn of the position of the United States and Cuba before giving final word. No comment thus far has come from Cuba.

An administrative agreement rather than treaty was proposed because border stations definitely would be ruled out under the terms of the compact, which carries a provision that facilities shall be allocated to the respective countries to serve their own "nationals". The border stations, however, use directive antennas with the objective of serving this country rather than Mexico and as a consequence could not be accommodated within the terms of the treaty.

With the FCC's recommendations before it, the State Department must decide upon the procedure it will follow, taking into account other diplomatic considerations. The Mexican oil situation, development of international highways and other joint activities must be considered in working out an amicable agreement.

Frequency Changes

Most important to U. S. stations is the fact that acceptance of the administrative agreement would make possible the general frequency shifts with the exception of Mexican assignments to border stations. While the full benefits of the treaty would not be realized, it nevertheless would make possible clearing up of interference now suffered by stations in this country and in Canada from the "mid-channel" operations of Mexican and Cuban stations. This would be a definite step forward, it is thought. Whereas under the terms of the Havana treaty, the FCC had made provision for assignment of a number of domestic stations on the frequencies to be used by Mexico in the interior of that country, use of these frequencies on the border will preclude such assignments. Thus, an indeterminate number of stations slated to go fulltime will have to be provided for in some other fashion, or perhaps remain on time-sharing assignments, depending upon the allocation limitations under the administrative agreement.

The actual frequencies which Mexico desires to remove from interior locations to the six border station spots have not been disclosed. It is expected, however, that the channels are among those which had been specified under the treaty for locations in southernmost portions of the country. Under the treaty, Mexico was assigned 15 channels for use of Class I and Class II stations.

When the FCC in June adopted its new rules and regulations governing broadcasting, it did not specify the new frequency assignments under the Havana treaty, because of the stalemate with Mexico. It adopted all of the engineering requirements, however, setting up the new classes of stations provided for in the treaty but ignoring the actual frequency shifts. When the treaty terms become effective, even by administrative agreement, the reallocation can be effected.

If the Feb. 1 effective date is agreed upon by the four nations involved, it is presumed the FCC next fall will set in motion machinery to make the allocation transition. More than likely, it would publish the proposed frequency assignments 30 to 60 days in advance of the effective date.

Rexall on 200 Nov. 1

UNITED DRUG Co., Boston, on November 1 will broadcast *Rexall Magic Hour*, a quarter-hour program transacted by World Broadcasting Co., to run four days on about 200 stations during the week of the company's semi-annual one-cent sale for Liggett and Rexall products. Programs will feature Graham McNamee as m.c., Arthur Boran, Buddy Clark and Announcer Basil Ruysdael. Street & Finney, New York, handles the account.

STANDARD BRANDS AND VALLEE PART

STANDARD BRANDS, New York, and Rudy Vallee, star of the company's *Royal Gelatin Hour* on NBC-Red Thursdays from 8 to 9 p. m., will dissolve their relationship following the broadcast of Sept. 28, which terminates their present contract and also marks the completion of a solid decade of broadcasting by the artist for the same sponsor on the same network at the same time each week.

Program, sponsored for Fleischmann's Yeast until 1936 and since then for Royal Gelatine, started on Oct. 24, 1929 and has been broadcast each Thursday evening without interruption, with Vallee appearing on all but two of the broadcasts.

Sept. 28 also is a cancellation date for the time on NBC, but it is expected the sponsor will retain the period, substituting a different type of entertainment. The announcement said that Vallee believes 10 years in one spot is long enough for an artist and that Standard Brands officials agreed. Advertising for the company is handled by J. Walter Thompson Co., New York.

Vallee indicated he would take a trip to South America before undertaking a new air series.

New York Broadcasting System Formed, To Provide Coverage of Empire State

A NEW NAME will be added to the list of regional networks on Sept. 5 when the New York Broadcasting System is scheduled to begin operations, according to announcement by E. M. Stoer, general manager of Hearst Radio, who will head the new network. Carl

Mr. Calman

Mr. Stoer

Calman, manager of WINS, New York, will be vice-president and general manager.

Outlets already signed for the new network include WINS, New York; WABY, Albany; WIBX, Utica; WSYR, Syracuse; WMBO, Auburn; WSAY, Rochester; WGR-WKBW, Buffalo; WJTN, Jamestown. Three additional stations—WHDL, Olean; WESG, Elmira, and WNBF, Binghamton — may also join the network before it goes on the air.

Stations will be linked by Class A lines. There will be no "key" station for the network, although it is probable that most programs will originate in New York City and there will be reversal charges for those originating at other points. Advertisers wishing to extend to network's stations outside of New York City programs being broadcast by New York City stations other than WINS may do so, eliminating that station from the list. Otherwise, the network is available only in its entirety.

Announcement states that contracts for commercial programs already signed by the network are "far in excess of normal expectations", although no names of sponsors were disclosed. International Radio Sales, Hearst station representative organization, has been named national sales representative of the network. A rate card is now in preparation.

New group is in the nature of a revival of the New York State Broadcasting System, which included outlets in New York, Albany, Utica, Auburn, Rochester, Buffalo and Plattsburg, with WINS as its key. This regional, likewise under Hearst management, was discontinued in the fall of 1937 after several years of operation had failed to make it a profitable venture. Since then two other New York regionals have been started, but neither lasted more than a few months. Because of those failures, announcement of the New York Broadcasting System has been preceded by several months of intensive study and planning. Questioned about the project some time ago, Mr. Stoer said, "With the record before us there is no excuse for another failure. We will not go ahead unless we are assured of success."

Those Brooklyn Cases Sent to Hearing Again

THE bewhiskered "Brooklyn cases", perhaps the oldest issue on the FCC docket, having been carried over from the old Radio Commission, were designated for argument by the FCC on July 27. Involving issues which sought deletion of WARD and WLTH, Brooklyn, and assignment of their time to WBBC, the cases have been argued before the Commission a half-dozen times and in and out of the courts.

The Commission announced that upon its own motion it ordered the reargument to be held Oct. 19 in Washington. It was presumed this action was taken because less than a quorum of the members which last heard the proceedings have qualified to take action.

Copyright Plan Rests on Aug. 3 Session

Convention Call Will Depend on Meeting With ASCAP

WHETHER there will be a fight to the finish or amicable negotiation of a "pay-as-you-use" type of contract for performance of ASCAP music over the air after 1940 hinges on a conference of the NAB Copyright Negotiating Committee with a representative committee of ASCAP, scheduled Aug. 3 in New York.

Cloaked with broad powers to convene a special convention of the NAB in September if ASCAP declines to enter practical discussions, President Neville Miller and his NAB committee agreed to defer for two days the Aug. 1 deadline they previously established, to meet with the ASCAP committee. If the NAB group is dissatisfied with the attitude taken by ASCAP officials, it is freely predicted the special convention will be called for Chicago by Sept. 15.

ASCAP's refusal to enter into discussions with the NAB committee on a new type of uniform performing rights contract, to supplant the existing schedules which expire Dec. 31, 1940, led to the action of the annual convention in Atlantic City July 12 in approving a resolution giving the Copyright Committee virtual plenary powers [BROADCASTING, July 15]. Should the negotiations with ASCAP rupture, the special convention will be called upon to contribute a substantial war chest to be employed in supplanting ASCAP music when the present contracts expire.

Seek Tax-Free Music

While the Copyright Committee has given only cursory consideration to ASCAP-less operation of broadcasting, it is obvious that the building of a substantial reservoir of tax-free music would be the nucleus. The fact that a comfortable amount of non-ASCAP controlled music already has been accumulated, through several transcription companies and by other means, augurs for such a course. Moreover, the NAB committee is determined to avoid an eleventh-hour crisis, through long drawn-out negotiations with ASCAP. There will be nearly a year-an-a-half before current ASCAP contracts expire in which to devise the new operating plan.

The NAB committee of five carrying on the ASCAP conversations will be augmented for the Aug. 3 session. Regular members, in addition to President Miller, are Edward Klauber, CBS executive vice-president; Lenox R. Lohr, NBC president; Samuel R. Rosenbaum, president of WFIL, Philadelphia and chairman of Independent Radio Network Affiliates; John Elmer, president of WCBM, Baltimore, representing independent stations. In addition, Mr. Miller has asked John Shepard 3d, president of Yankee and Colonial networks and chairman of the National Association of Regional Stations, and Walter J. Damm, WTMJ, Milwaukee, representing newspaper-owned stations, to participate.

ASCAP's regular high command, which has conferred with the NAB committee during the last few months is expected to be supplemented by a two composer and two publisher members. The key officials, however, are Gene Buck, president, John G. Paine, general manager, and Louis D. Frohlich, general counsel. E. C. Mills chairman of the Administration Committee, has been strangely absent in these sessions.

President Miller declared prior to the session that if ASCAP's attitude is one which indicates a willingness to get down to brass tacks, a further postponement in the dead line is possible. The committee is authorized by the NAB membership to proceed in its own way, but to issue a call for the special Chicago convention by mid-September if advisable.

The fact that each segment of the industry—locals, regionals, network affiliates, independents and newspaper-owned stations — voted separately during the Atlantic City sessions in favor of a uniform contract calling for clearance at the source, with royalties to be paid on programs using ASCAP music only, paved the way for the convention action in favoring a resolution calling for a contract "predicated upon paying for the music used". The committee thus was instructed to decline any proposals to continue the present form of contract under which stations pay 5% of their "net receipts" to ASCAP.

An Active Topic

ASCAP has steadfastly maintained in the past that the blanket form of license, similar to that now in force, was desirable. Despite the protest of broadcasters that a "per program" method of payment is workable, ASCAP officials have insisted that it would be cumbersome, expensive and unwieldly. While ASCAP officials have indicated that they were not ready to discuss formula with the NAB committee, Mr. Paine finally agreed to the Aug. 3 meeting.

That ASCAP, even at this late date is indulging in stalling tactics is evident to the broadcast industry. The attitude expressed by its officials that it is being "rushed" by the NAB, is punctured by the record. The NAB committee has been negotiating with it since March. Moreover, its repeated excuse that it desires "more information" is construed as faulty, since it has had access for years to the books of all stations in "auditing" royalty payments. The NAB committee, it was pointed out, has made its position definite in asking for the "per program" basis of payment, yet the Society, in trade reports published elsewhere has taken the position that it is the "industry's move."

Treaty Talk in Senate

The NAB has been on the qui vive because the International Copyright Treaty, reported favorably by the Senate Foreign Relations Committee, and having the support of the State Department, has bobbed up on the Senate floor with dangerous regularity. It was agreed at the last session of Congress that the treaty should not be ratified until accompanying legislation amending the existing copyright law could be passed. The treaty would provide for automatic copyright of foreign works in a fashion that would endanger users of literary as well as musical works in this country.

Chairman Bone (D-Wash.) of the Senate Patents Committee, advised the Senate July 24 when the treaty came up for the third time during the week, that it was his judgment the Senate should not ratify the treaty until Congress has had an opportunity to consider new copyright legislation. He pointed out that a group of New York attorneys, headed by Prof. James T. Shotwell, had submitted to him a proposed bill designed to supplant existing copyright law.

Declaring it is a complete rewriting and revamping of the entire copyright statute of the United States, Senator Bone said he thought the matter would have to go over to the next session.

Text of Wheeler Bill to Amend Copyright Act

FOLLOWING is the text of the Wheeler Bill (S-2846) to amend the Copyright Act of 1909 to provide for responsibility for infringement by the originating station of a network or the transcription manufacturer:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

That Section 25 of the act entitled "An Act to Amend and Consolidate The Acts Respecting Copyright", approved March 4, 1909, as amended, is amended by adding after paragraph (e) the following new paragraph:

"In the case of an infringement by radio broadcasting, the liability for the use of a copyrighted work in broadcasting through and from the facilities of two or more connected stations shall rest solely with the station, person, firm, or corporation through and from whose facilities the performance, transmission, or dissemination of such copyrighted work is originated; except that the liability for the use of a copyrighted work in broadcasting by means of electrical transcriptions or other forms of recording manufactured, sold, leased, or licensed exclusively for broadcasting purposes shall rest solely with the manufacturer of such electrical transcriptions or other forms of recording."

Wheeler Heads Federal Drive To Control ASCAP Procedure

Introduces Bill for Clearance at the Source; Department of Justice Revives Old Suit

ASSUMING leadership in a new Federal drive to bring ASCAP into line, notably in its dealings with broadcasters, Senator Wheeler (D-Mont.) climaxed a fortnight of activity on the copyright front July 20 by introducing in the Senate a bill for clearance of copyright at the source, whether by network or transcription.

Coming on the heels of other moves by the Interstate Commerce Committee chairman, which resulted in revival of government interest in the long dormant anti-trust suit against ASCAP, Senator Wheeler's new bill was introduced with the approval of Chairman Bone (D-Wash.) of the Senate Patents Committee. With adjournment of Congress expected early in August, little likelihood of passage of the measure at this session is seen. However, Senator Wheeler has stated he will press for action at the next session or probably at a special session if one should be called by the President.

Also contributing to the Department's revival of interest was understood to be the recent dissenting opinion of Associate Justice Hugo L. Black in the Washington-Florida anti-ASCAP cases carried to the highest tribunal on the jurisdictional question alone. Justice Black, in a strong dissent, sharply criticized ASCAP and its methods [BROADCASTING, May 1].

The spell, long held by ASCAP over Congress in blocking legislation to curb its activities, appeared to be doomed in the new surge of activity. Senator Wheeler already has been promised support in his efforts by a large number of Senators who have heard from their States about ASCAP activities—not only with respect to broadcast license fees but also small users, such as tavern, restaurant and other proprietors who have been forced to pay tribute to the Society.

The Wheeler Bill (S-2846) would amend the antiquated 1909 copyright law by providing that in case of an infringement by broadcasting, the liability for the use of a copyrighted work over two or more stations shall rest solely with the originating station. In the case of electrical transcriptions or other forms of recorded works, the responsibility would rest solely with the manufacturer.

Suit May Be Revived

Out of the fortnight's activity on the Washington scene came the disclosure that the Department of Justice had designated one of its crack attorneys, Robert M. Cooper, special assistant to the Attorney General, to take personal charge of the anti-trust suit pending before the Federal District Court in New York. Thurman Arnold, Assistant Attorney General in charge of anti-trust activities, likewise has in-

(*Continued on Page 67*)

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"LONE RANGER SAFETY CLUB"
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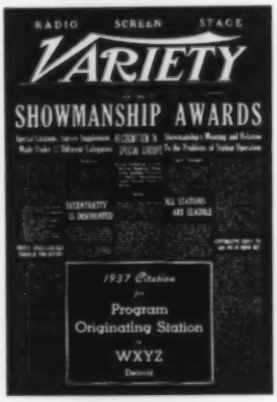
COMMITTEE ON AWARD

1937 Award



1938 Award

1939 Award

Detroit's Famous Radio Station

• WXYZ •

Distinguished for Three
Consecutive Years in Recognition
of Unusual Service to the Public

1937 - SAFETY

C. I. T. Foundation Award for outstanding safety promotion radio program.

1938 - SHOWMANSHIP

Award for program origination presented by "Variety."

1939 - POPULARITY

Through nation-wide poll "Radio Guide's" award for most popular children's program.

KING-TRENDLE BROADCASTING CORPORATION

Blue **NBC** Network **DETROIT** *Key Station* Michigan Radio Network

PAUL H. RAYMER CO., Representative

Reaction to NAB's New Code Is Found Generally Favorable

Miller Studying Plans to Obtain Compliance as Time Approaches for Meeting of Directors

WHILE editorial, organization and public reaction to the self-regulation code adopted by the NAB convention in Atlantic City last month [BROADCASTING, July 15] has been preponderantly favorable, scrutiny of the document during the fortnight since its adoption has revealed that many revisions and interpretations are likely before enforcement is undertaken.

NAB President Neville Miller and his staff are gratified over the generally favorable response to the code, but it has become apparent that considerable work must be done before the board of directors meets in September to evolve enforcement methods. The new NAB board, immediately following the convention in Atlantic City July 13, authorized President Miller to study plans for code compliance machinery and possible clarification of its provisions, to be considered at a meeting slated for September.

Some Criticisms

Though there were several blanket criticisms of the entire code, the provision banning sale of time for discussion of controversial issues has been most provocative. Such columnists as David Lawrence and Hugh Johnson regarded it as a dangerous and unnecessary precedent and one which will have serious repercussions. The *Oklahoma City Times*, which is under the same ownership as WKY in that city, KLZ, Denver, and KVOR, Colorado Springs, branded the code as "born of fear of regulation by the Government" and held that the NAB has given "free speech an unnecessary kick in the pants".

The Oklahoma Publishing Co. stations were among the first to ban the crusading type of commercial religious programs.

Compton Advertising Inc., New York, a leading agency in radio placements, protested the code provisions limiting commercial announcements. William B. Maillefert advised Ed Kirby, NAB public relations director, that the time limitations on commercial copy were "in good taste" but that the "exceptions" which remove the limitation from local participation and announcement programs were objectionable.

"If stations decide to be considerate and not allow overzealous advertisers to prey upon listeners' attention by scheduling too much commercial time, why shouldn't stations observe the same rules for themselves," he inquired. The practice indulged in by stations which place a series of one-minute announcements in a single 15-minute script should be curbed, he advised.

Another question requiring clarification of commercial copy limitations has arisen in regard to transcriptions. Under the code provision, greater time is allowed for daytime commercials than for night programs. Thus, transcriptions having commercials meeting the daytime limits could not be broadcast at night, within the code terms. It is expected that some degree of flexibility will be advocated to meet this situation.

As for code compliance itself, President Miller is sounding sentiment prior to drafting proposals to be considered by the board. At present all roads appear to lead to expulsion from NAB membership as the extreme penalty.

Thought has been given in a preliminary way to a plan under which each district director would sit as the code director in his particular district. Thus, the country would be divided into 17 separate code districts paralleling the NAB membership areas. The board itself, however, in any such plan would sit as the final arbiter. The plan also envisages appointment of a code enforcement officer, or coordinator, who would be attached to the NAB headquarters staff in Washington. Responsible to the board, this individual would handle code interpretations and serve as the clearing house for the industry as a whole.

Shepard First

First to announce immediate adherence to the code provisions was John Shepard 3d, president of Yankee and Colonial Networks. Mr. Shepard stated July 22 that inasmuch as the industry had agreed on the code, which it felt would bring radio to a new level of public acceptance and advertising effectiveness, he could see no reason for delaying its operation. Consequently, all new contracts signed by the Yankee or Colonial Networks and stations owned or operated by them will contain the following provision: "Program material shall be in full accordance with the Broadcast Code adopted by the NAB July 11, 1939."

Contracts now in force which may conflict with the new code, will, of course, be carried to their completion under their original provisions, Mr. Shepard said. All commercial copy in live shows will be adjusted to code length through the mutual cooperation of the advertiser and the station. Special arrangements will be made for clients using transcriptions so that those produced in the future will conform to the provisions of the code.

The policy will apply to all programs originated by Yankee or Colonial or by stations owned and operated by Yankee Network—WNAC and WAAB, WEAN, and WICC. These stations, of course, cannot, at the moment, apply the code to programs originating either with NBC or with MBS, but Mr. Shepard is suggesting to these two organizations that they make arrangements to adopt the code without delay.

Seen and Heard

CHECK with gate keepers of Sick's Seattle Stadium indicated recently that 122 baseball patrons regularly bring their own portable radio to the ball games there to listen to Leo Lessen's play-by-play broadcasts as they watch, in preference to the park's p. a. system, according to KJR, Seattle.

THREE MORE ADDED TO MUTUAL SYSTEM

SECOND step in the southern expansion of MBS, which recently extended its lines into the Southeast to link four North Carolina stations into the Mutual network [BROADCASTING, July 1], will eventuate Sept. 24, when WSIX, Nashville, WLAP, Lexington, and WGRC, New Albany-Louisville, become MBS affiliates. The trio of stations will be known as the Southern Network and will be available to MBS advertisers both individually and as a regional group. Move takes Mutual lines into two cities hitherto unserved by this network, Lexington and Louisville. In Nashville, WSIX will supplant WSM, which is affiliated with NBC as well as MBS, as the chief outlet for Mutual programs.

While no further announcement of additional affiliates have been made, Fred Weber, general manager of the network, told BROADCASTING that MBS plans extending its lines through the South until the present gap is closed and the programs are available to listeners throughout the entire area. This expansion will be gradual, he said, with outlets carefully chosen for their ability to render service commensurate with the expense of extending network lines over long distances between population centers.

The three new additions, which bring the total of MBS affiliates to 121, all operate with 250 watts daytime power. WGRC operates daytime only; the other two use 100 watts power at night. Offices of the Southern Network are in Lexington.

MELVIN PURVIS, former ace G-man, who with J. A. Zeigler has begun publishing the new *Florence* (S.C.) *Evening Star*, has made a tie-up with WOLS, Florence, whereby he will broadcast all news periods over the station, sponsored or sustaining, starting Aug. 3 and using UP.

How the Press Commented on New NAB Code . . .

New York Times

The 425 member stations of the NAB have adopted a remarkable degree of 'self-government' in the new code of standards for which they have voted. The changes are all in the direction of giving greater recognition to the industry's social responsibilities.

Christian Science Monitor

Sincere commendation is due to the NAB for the code of ethics adopted to govern the 428 member stations in the United States. The gratitude of millions of listeners for this expression of good taste should assure the filling of radio-station time with a better type of advertising for every program dropped in accordance with the new code.

Ottawa (Ont.) Citizen

In many directions this new radio code of advertising, intentionally or coincidentally, follows the standard set by the Canadian Broadcast Corp. It was early realized in Canada that in a broadcasting service designed in the interests of the listener through national control and operation, regulations must be applied to what may or may not be advertised. Canadian listeners, however, tune into many United States stations. Appreciation of this new standard in radio advertising adopted by the NAB will therefore not be confined only to listeners in the United States.

New York Evening Post

In its new code of standards the radio broadcasting industry recognizes that there is an economic base to the right of free speech. We tend too often to forget this. John Smith and John Doaks have an equal right to tell their story to the public. But if John Smith can afford to buy an hour's time on a national network, while John Doaks can only afford one medium-size soapbox, the equality is limited and technical. If the number of radio stations were unlimited and any person or group could start a station, as one starts a periodical, the case would be different. But here we have the question of the use of a limited public facility. The public interest becomes a controlling factor. Censorship is an evil. It should be fought. But it is not censorship to limit special pleading over the public's air waves to periods defined by the public interest, not fixed by the pleader's purse, with adequate free time allowed for rebuttal.

Brooklyn Citizen

The industry had the good sense to realize that its code must be flexible. While exercising self-government, it must, above all, satisfy its listeners—a vast population with multiple likes and dislikes.

Corning (N. Y.) Leader

The "self-disciplining code" adopted by the NAB is an intelligent attempt to solve a number of problems recently troubling radio.

David Lawrence in United States News

Radio is an infant industry. Hence it must be forgiven the mistakes made by the NAB in their newly announced code. If the radio had behind it the experience and traditions which a free press has evolved through centuries of time for the use of the printed word, the action taken at the meeting in Atlantic City by the owners of broadcasting stations would never have been approved. The "code", of course, was an effort to avert governmental regulation. Likewise it was designed to meet some of the problems peculiar to radio, such as the limited number of hours of listening time available and the fact that the federal government issues the licenses on which the life of a radio station depends. To the extent that the code imposes on the members certain regulations relating to good taste and listener interest, it will be accepted as a wholesome bit of coordination in an industry already plagued by the fact that whenever any appreciable section of the public is dissatisfied it can run to the Federal Communications Commission or to Congress and set in motion a movement for government regulation.

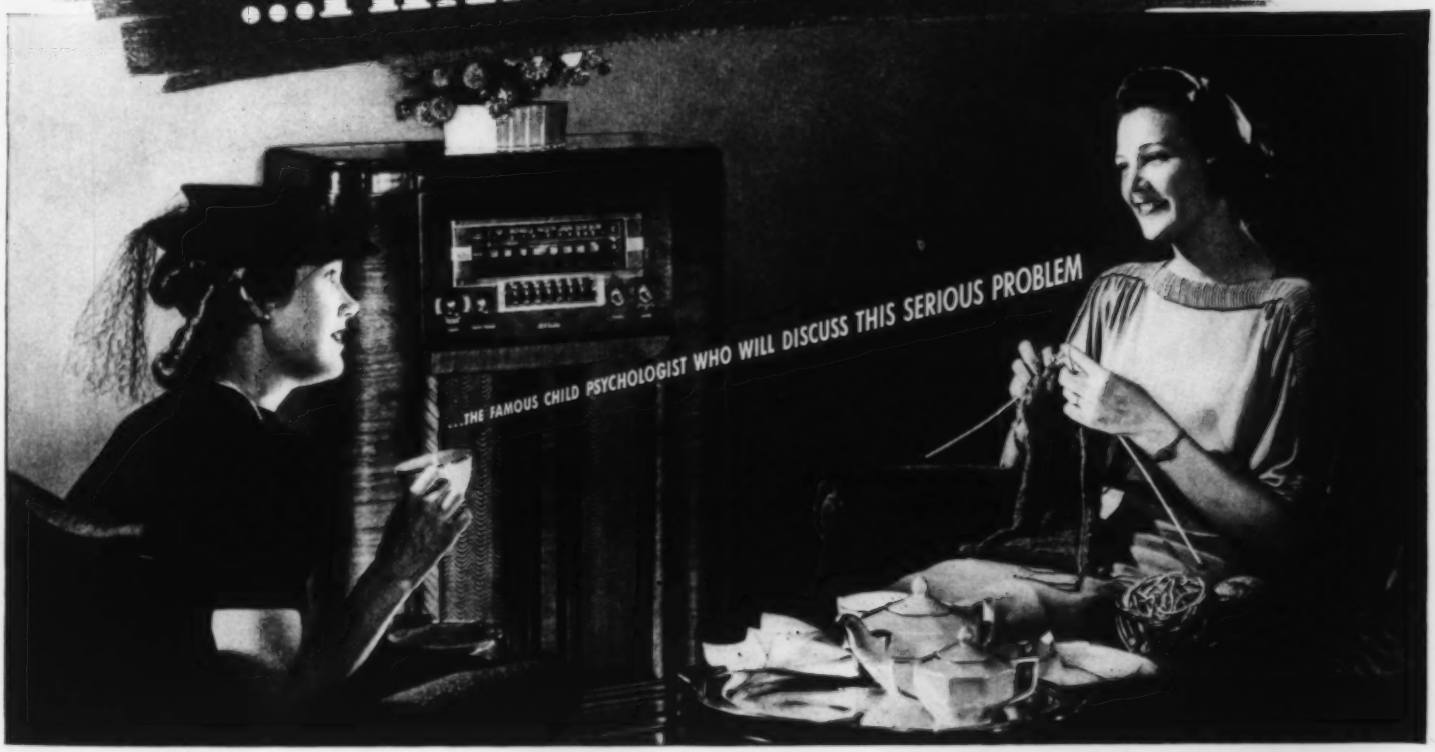
When the radio broadcasters say that no time shall be sold for the discussion of controversial issues, they may think they are saving themselves from a vexatious problem. But in truth they are merely plunging themselves headlong into one of the most fundamental disputes in American democ-

(*Continued on Page 46*)

"I CAN'T DO A THING WITH JUNIOR. I DO WISH I COULD GET THE HELP OF ONE OF THOSE CHILD EXPERTS"

"ONE OF THEM IS SPEAKING AT THE WOMEN'S CLUB LECTURE TODAY. IT'S TOO BAD THAT YOU COULDN'T BE THERE"

THOSE DAYS ARE GONE FOREVER ...THANKS TO RADIO



TREMENDOUS advances have been made in the last few years in improving the relationship between parents and children. By the application of facts discovered by many wise men and women, much has been done to help parents in meeting the many problems that arise in connection with bringing up a family.

NBC is proud of the fact that it has played a most important part in a matter so vitally essential to the nation. Many NBC programs constantly bring to parents—and to children—information, suggestions, ideas, first hand accounts based on actual experience, and other material which is helpful in shaping the lives of children.

In addition to these programs, NBC also provides constantly many others which are devoted to the interests of women. Home, family, fashions and other subjects of primary interest to women, are regularly covered as a part of NBC's public services. It is through such activities as these that NBC is doing its utmost to make a great public service.

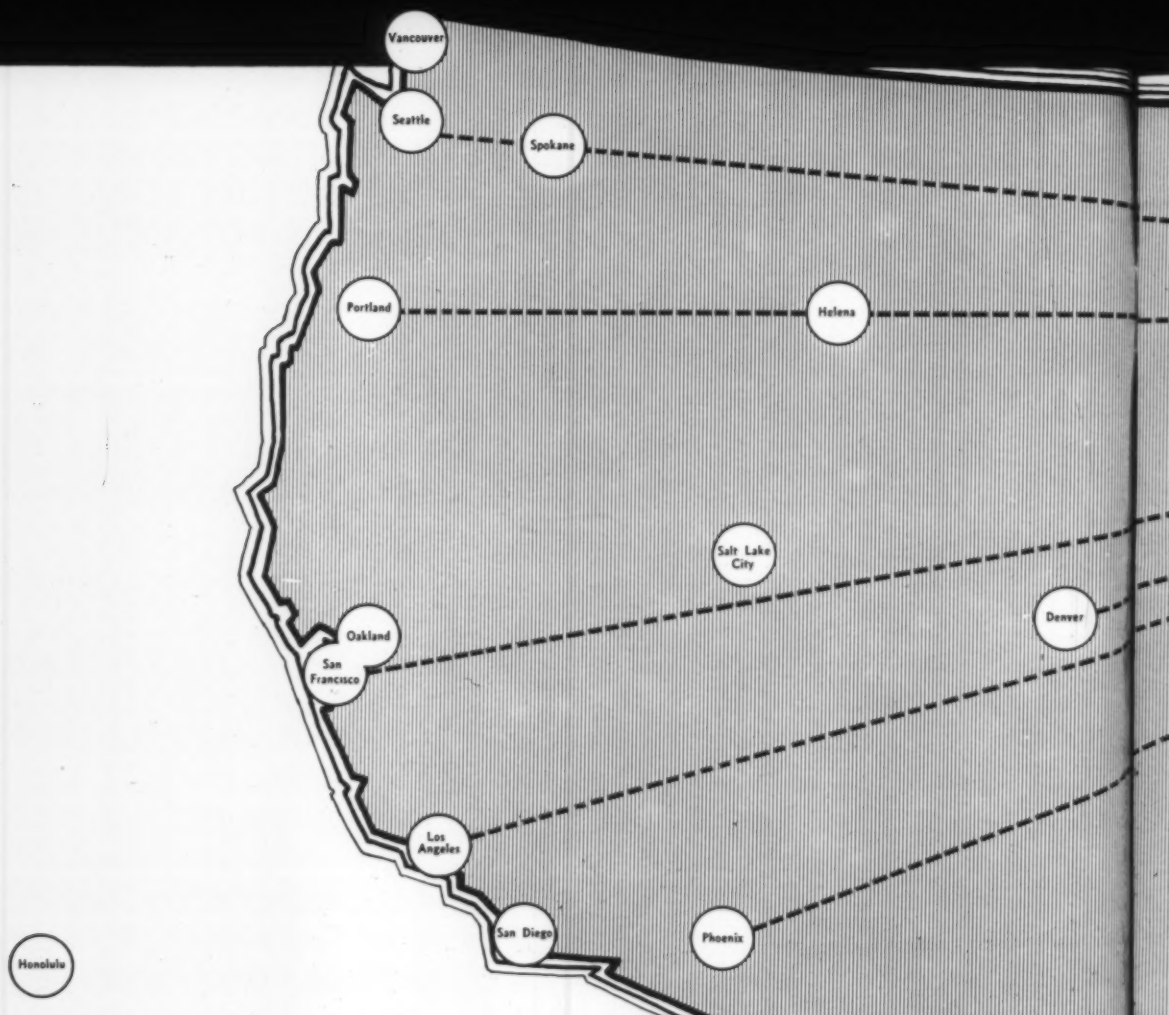
NATIONAL BROADCASTING COMPANY

THE WORLD'S GREATEST BROADCASTING SYSTEM

A RADIO CORPORATION OF AMERICA SERVICE

HOOPER-HOLMES

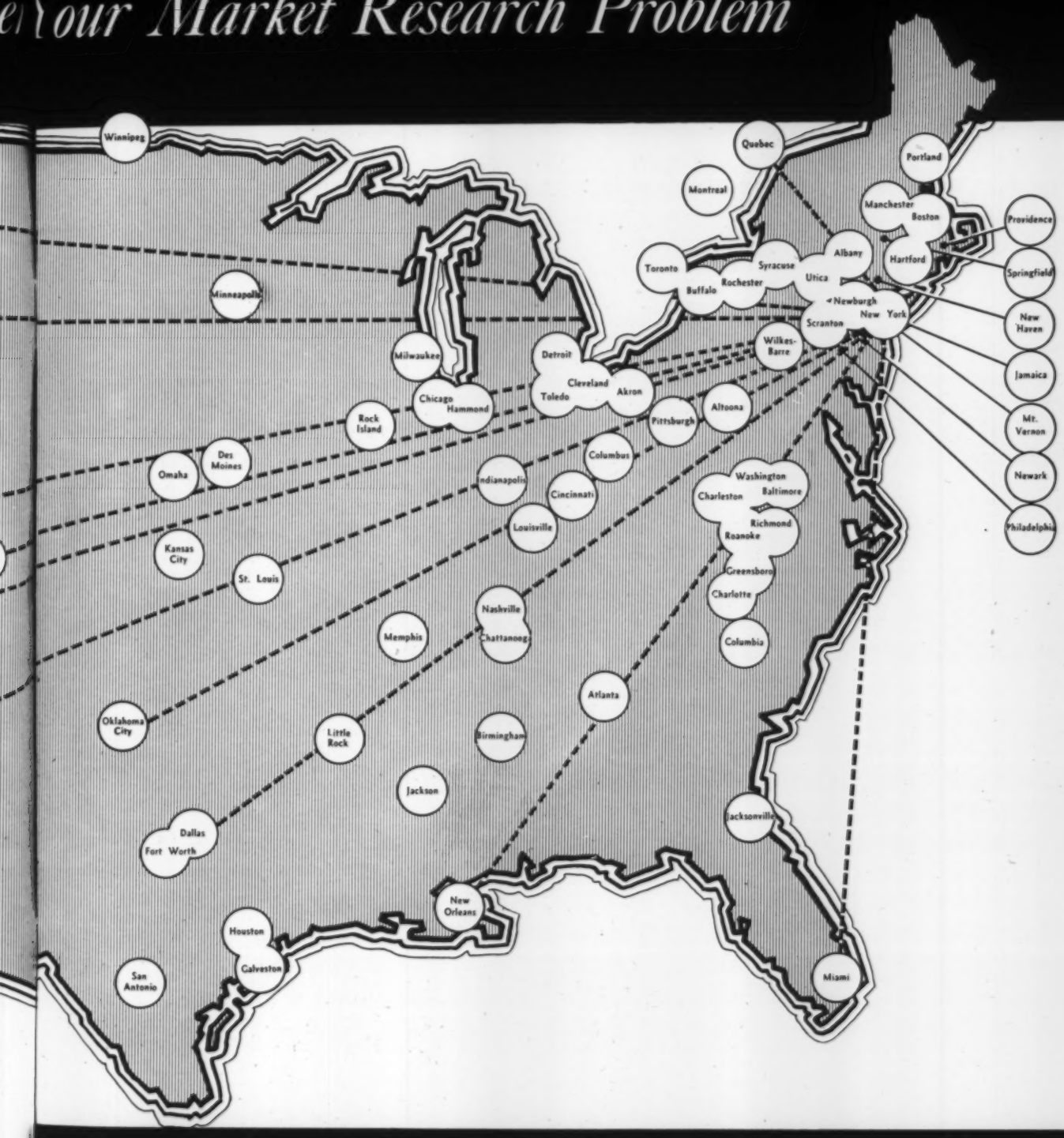
can find the answer for you—Whatever



You may want a regional or a nationwide survey . . . of big cities, of small towns, or of farms . . . based on 500 to 50,000 personal interviews. Our service can be as flexible as desired—and is surprisingly reasonable. For full details of how it can fit your business, write for your copy of the booklet "Why Hooper-Holmes Produces Results in the Market Research Field." Address all inquiries to Market Research Division, Chester E. Haring, Director.

Full time men in 81 Branch Offices . . . regularly cover 13,577 cities and towns. Their work is supplemented by 55,000 part-time correspondents.

e Your Market Research Problem



THE HOOPER-HOLMES BUREAU, INC.

102 MAIDEN LANE, NEW YORK

Armstrong Modulation System Makes Public Bow on Yankee

Station Near Worcester on 16-Hour Schedule; GE Announces Line of Frequency Receivers

THE ARMSTRONG system of "staticless" broadcasting by means of frequency modulation on the ultra shortwaves made its public bow with a 16-hour-per-day schedule July 24 when the Yankee Network placed in everyday operation its new station, W1XOJ, atop Mt. Asnebumskit at Paxton, Mass., near Worcester. Coincidently, the General Electric Co. announced its new line of special receivers for frequency modulated reception, demonstrating them at the Rex Cole Bldg., Long Island City, with pickups from Maj. Edwin H. Armstrong's own station, W2XMN, at Alpine, N. J.

The Yankee Network transmitter [BROADCASTING, June 1], on which work started last November with tests beginning in June, is broadcasting temporarily with 2,000 watts power, later to be raised to 50,000, on 43,000 kc. It is expected, according to a statement by the Yankee Network, to cover thoroughly a 75-mile radius around Worcester. Its turnstile antenna surmounts a hill that rises 1,400 feet above sea level.

Backed by Shepard

Programs are now on the air from 8 a.m. to 12 midnight daily, being fed largely from the Yankee Network studios in Boston, 42 air miles away, through W1XOK, a frequency modulated relay station in a penthouse atop the studio building. W1XOK transmits to Mt. Asnebumskit on a frequency of 133,030 kc. with power of 250 watts through a directive antenna.

The frequency modulation system invented by Maj. Armstrong, inventor of the superheterodyne circuit, is regarded as a revolutionary forward step in broadcasting [BROADCASTING, Feb. 1, April 1] and may herald the day when most if not all broadcasting is done on the more plentiful ultra-shortwaves. It has so excited the interest of John Shepard 3d, president of Yankee Network, that he is investing $200,000 in his experiments.

Thus far four stations using the system are in actual operation, namely, those of Maj. Armstrong at Alpine; General Electric (WGY) at Schenectady; Dr. Franklin M. Doolittle (WDRC) near Hartford, and Yankee. Construction permits have been issued to Paul Godley, consulting engineer, for a station at Alpine; C. M. Jansky, consulting engineer, for a station in Washington; John V. L. Hogan (WQXR) for a station at Long Island City; Westinghouse (WBZ-WBZA) for a station at Springfield, and Head of the Lakes Broadcasting Co. (WEBC) for a station at Duluth, Minn.

Applicants for construction permits to use the system are the Traveler Co., Hartford (WTIC); Stromberg-Carlson Co., Rochester (WHAM); *Milwaukee Journal* (WTMJ) and *Worcester Telegram* (WTAG). The most recent grant of a CP was to the Duluth company, which already operates an experimental ultra-high frequency station, W9XJL, with 250 watts, which is to be revamped for frequency modulation with 1,000 watts on 26,300 kc. A survey is now under way preparatory to construction, with C. M. Persons, chief engineer of WEBC, collaborating with Prof. W. L. Everett of Ohio State University and Prof. E. H. Schrieber of the Superior (Wis.) State Teachers College.

The FCC rules (Section 44.04) set forth four groups of frequencies for frequency modulation. In the C group are 26,300, 26,500, 26,700 and 26,900 kc. In the E group are 42,600, 42,800, 43,000, 43,200 and 43,400 kc. In the G group are 117,190, 117,430, 117,670 and 117,910 kc. In the H group are any frequencies above 300,000 kc., with the exception of those in the 400,000 to 401,000 kc. band.

New Colgate Show

COLGATE-PALMOLIVE-PEET Co., Jersey City (shaving cream), thru Benton & Bowles, New York, on Aug. 17 starts for 52 weeks, John Hix's *Strange as It Seems* on 54 CBS stations, Thursday, 8:30-9 p. m. (EDST), with a West Coast repeat, 8:30-9 p. m. (PST). The program will originate from New York and follow *Ask-It Basket*, which is also sponsored by that firm on CBS. Ed Mead, agency writer, recently transferred from New York to Hollywood, will remain on the West Coast to work on scripts for the weekly program. Tom Revere, New York radio director of Benton & Bowles, was in Hollywood in mid-July to complete negotiations with representatives of John Hix and has now returned to the East.

Cast in Films

THE MOVIES drew upon Hollywood radio studios last month for supporting casts of forthcoming pictures. Clinton (Buddy) Twiss, NBC Hollywood special events director, has been cast in the role of announcer in RKO's "The Day the Bookies Wept," featuring Joe Penner. John Conte, CBS Hollywood announcer, won a role in Paramount's "Our Neighbors, the Carters."

Deal to Buy WMFO

A NEW deal for the sale of WMFO, Decatur, Ala., was disclosed July 20 with the filing of an application by James R. Doss Jr., its present operator, who is also operator of WJRD, Tuscaloosa, for authority to transfer it to Tennessee Valley Broadcasting Co. Inc. Clarence R. Calhoun, of Atlanta, would acquire 60 shares of stock, part of it in consideration of a note of $7,050 held by him. Ted R. Woodard, manager of the station, would acquire 48 shares, and the Mutual Savings Life Insurance Co. would acquire 40 shares. One qualifying share each would be held by M. K. Vickrey, president of the new corporation and general superintendent of the industrial department of the American Life Insurance Co., and Bryan McAfee, vice-president, an attorney.

Wurlitzer in Fall

RUDOLPH WURLITZER Mfg. Co., N. Tonawanda, N. Y. (musical instruments), in late September will start a series of five and 15-minute programs on nine stations. Chosen thus far are six weekly five-minute programs titled *Tune in the Spotlight* featuring popular tunes on WABC, New York, and five weekly five-minute series of the same title on WWJ, Detroit. The quarter-hour series will be titled *Say It With Music*, according to Walt Schwimmer, account executive of Schwimmer & Scott, Chicago agency handling the account.

WORLD SERVICE is the theme portrayed here by radio's pioneer transcription library and spot organization. The World Broadcasting System exhibit at the NAB Convention in Atlantic City's Ambassador Hotel July 10-13, told the story of the evolution of transcription spot and transcription library service, along with the company's newest "Gold Group" venture. Left to right are A. J. Kendrick, vice president, A. M. Sambrook, station relations manager, and J. M. Schamberg, New York.

Kaufman to Take Control of WFBM

Will Be Manager of Station; Blossom Will Be Retained

JESSE L. KAUFMAN, onetime manager of WCAE, Pittsburgh, and later a Hearst Radio executive, plans to assume the active management of WFBM, Indianapolis, on Aug. 15 under the new ownership of the former Indianapolis Power & Light Co. station. Authority to transfer the station, last of the public utility operated outlets, to WFBM Inc. was granted by the FCC July 13 [BROADCASTING, July 15]. The reported purchase price was $450,000.

Mr. Kaufman, who was in Indianapolis in latter July to consult with the present management, said that no plans for changes in personnel have been made or discussed other than that he will manage the station while R. E. Blossom, present manager, will remain with it in an "important position".

With the transfer, it was disclosed by the FCC that the officers of WFBM Inc. are Mr. Kaufman, president; Robert J. Dodds, Pittsburgh attorney, secretary, and H. M. Bitner Jr., treasurer. Young Mr. Bitner, a newspaperman, will be a member of the station's staff.

The senior Mr. Bitner, who is publisher of Hearst's *Pittsburgh Sun-Telegraph* and a director of Hearst Consolidated Inc., Hearst Publications and *The Detroit Times*, will hold 59.9% of the stock. Mrs. Jeanne E. Bitner holds 9.3%, and Mr. Kaufman holds 30.8%. Mr. Kaufman also is part owner of KFNF, Shenandoah, Ia., having recently acquired a 48.75% interest from Henry Field. The Bitner interest in WFBM is personal and not in any way connected with Hearst.

Canada Dry Discs

FIRST advertiser to take advantage of NBC's recently announced policy of permitting transcriptions to be broadcast over the Pacific Coast Blue network is Canada Dry Ginger Ale, New York. On Aug. 15 this sponsor's *Information Please* will be broadcast at 8:30-9 p.m. (EDST) on only 48 stations, instead of the usual 59. While the program is on the air it will be recorded off the line on the West Coast. At 8 p.m. (PST) this recording will be broadcast over seven Pacific Coast Blue stations: KGO KECA KFSD KEX KJR KGA KTMS, which together with KMJ KERN KWG KFBK have been carrying the program's original broadcast at 4:30-5 p.m. (PST). Agency is J. M. Mathes, New York.

Hair Tonic Testing

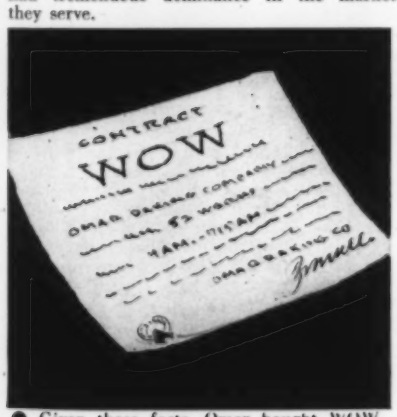
FOUR PENNY PRODUCTS Inc., Chicago (hair tonic), is using a series of four weekly one-minute nighttime announcements on WMBD, Peoria. The campaign may be expanded following the 13-week test. Newby, Perron & Flitcraft, Chicago, handles the account.

JOHN F. ARRINGTON Jr., who with his wife has purchased control of WCHV, Charlottesville, Va. [BROADCASTING, July 15] has had his application for a new 250-watt outlet on 1230 kc. in Valdosta, Ga., dismissed with prejudice by the FCC.

● Omar salesmen contact an unusually accurate cross-section of the population of Omaha-Council Bluffs and Lincoln markets.

● On five average week-days in May they surveyed the radio listening habits of their customers—house-to-house interviews.

● Omar Incorporated got the FACTS before buying radio time, learned that WOW had tremendous dominance in the market they serve.



● Given these facts, Omar bought WOW—began on July 2nd a 15-minute program at 7 A. M.—to run six days a week for 52 weeks.

Independent Survey by **OMAR** . . . . *reveals*

WOW

*delivers greatest daytime audience in OMAHA—COUNCIL BLUFFS and LINCOLN!**

THE QUESTION: The bakery division of Omar Incorporated wanted to know how many radios were turned on and the size of the audience tuned to each station by hours, from 7 A. M. to 6 P. M. They sought the answer in order to purchase radio time in this area.

THE METHOD: A personal coincidental survey method was used, and 16,623 housewives were asked "Is your radio turned on?" "If so, to what station are you listening?"

THE RESULT: WOW led all other stations at all hours 7 A. M. to 6 P. M. in the area (Omaha-Council Bluffs and Lincoln). Omar Incorporated bought 7 to 7:15 A. M. on WOW six days a week for 52 weeks.

* THIS SURVEY IS IMPORTANT TO YOU

Look for it in your own file on radio stations. If it is not there, drop us a card or wire, and we will send it to you. In complete form it gives hour-by-hour ratings for the three leading stations in the Omaha-Council Bluffs and Lincoln trading areas.

W O W

OMAHA, NEBRASKA

590 KC • On the NBC Red Network • John Gillin, Jr., Mgr. • John Blair Co., Representatives • Owned and Operated by the Woodmen of the World Life Insurance Society.

Canada Dry Story Of Sales Increase Narrated by NBC

Steadily Mounting Business Traced to Quiz Program

THE STORY of *Information Please*, which was damned by radio experts as "a smart idea but far too highbrow to succeed as a commercial," and of how during the first seven months of its sponsorship by Canada Dry sales of this company's beverages steadily mounted while general grocery sales were as steadily declining, is told in full detail in a brochure just issued by NBC. While essentially the success story of a program, the book also gently stresses the fact that the series is broadcast on the Blue Network.

Canada Dry started on the Blue Nov. 15, 1938. Sales figures of their beverages mentioned on the air for that month alone zoomed up to 11.3% better than 1937, while general grocery sales showed a loss of 5% as against the same month. For the seven months to May, 1939, Canada Dry beverages continued their steady sales climb, an average sales increase of 9.2% over the whole period. Meanwhile, general grocery sales showed a 3.5% decrease in comparison with the previous year. In May the sales of Canada Dry beverages advertised on the program were 23.2% over May, 1938.

They Listened

Before Canada Dry began sponsoring *Information Please*, the program had been on the air on the Blue for about six months as a sustainer. A clever variation on the popular "quiz" program which gives the audience a chance to turn the tables and stump the experts, *Information Please* immediately began to attract widespread attention. Letters with questions began pouring in, at first by the hundred and then by the thousand.

Due in part to the novel nature of the show itself, the response was also in large measure a result of the wise selection of the program's personnel: Clifton Fadiman, literary critic of the *New Yorker*, as "teacher;" Franklin P. Adams, columnist of the *New York Post;* John Kieran, sports columnnist of the *New York Times* and an expert on almost any subject; and Oscar Levant, composer, conductor and wise-cracker, as regular members of the "board of experts". Adams and Kieran appear on every broadcast; Levant is on hand about three times out of four. The vacancies on the four-man board are filled from week to week by various guests of headline stature.

Recipient of "rave" notices in radio columns throughout the country *Information Please* was given a more skeptical reception by the advertising fraternity." I like to listen to it, but it's over the heads of the mass audience," was a typical reaction. But Canada Dry and its agency, J. M. Mathes, decided that a program which pulled so much mail and produced so much comment must have an audience in proportion. To prove to their own satisfaction that the critics were wrong and that the program's audience was not entirely composed of highbrows, the sponsors made a test of the program shortly after they took it over. From a batch of 60,000 letters, they selected 10,000 at random and analyzed each for its stock, handwriting, type of question submitted, spelling, etc. From this and subsequent checks they found that the average *Information Please* listener is neither highbrow nor lowbrow. The program's high rating in a number of nationwide popularity polls, proving its widespread appeal, confirms Canada Dry's belief that its 8,000,000 listeners are "middlebrows".

Restrained Commercials

When the sponsorship of *Information Please* was announced, there were many dire predictions that commercialization would kill the program's basic appeal. The secret of Canada Dry's success in accomplishing the transition from sustaining to commercial is summed up in the brochure in two words, "commercial restraint". On its first broadcast under sponsorship the program's opening commercial was limited to a question from Fadiman: "What's different about *Information Please?*" and the answer: "We have a sponsor, Canada Dry." In the entire half-hour there was but 66 seconds of commercial copy.

This policy drew praise on all hands and the program's "freedom from sponsoritis," has been continued as the series progressed.

(*Continued on Page 55*)

KRLD'S NEW 50,000-watt plant was dedicated to "truth and democracy" by Edwin J. Keist, publisher of the *Dallas Times-Herald*, operating the station, during its dedicatory July 16 in which national and State notables participated. Upper photo shows (l to r) Edward Klauber, CBS executive vice-president, who left the NAB Atlantic City convention to attend; Mr. Keist, and Tom Gooch, editor of the newspaper and president of KRLD. In lower photo, Mr. Keist (l) is shown participating in a revival of KRLD's first sponsored program, *The Diamond Band*. Next to him is Glenn G. Addington, who was announcer of the program. Nearly all Texas stations joined in felicitating KRLD, and speeches by Senator Morris Sheppard and Rep. Sam Rayburn were piped from Washington. Messages to Mr. Keist and Mr. Gooch from Vice-President Garner and acting FCC Chairman Thad H. Brown, also contained congratulations on the new facilities.

NEIGHBORS AIDED

Sunset Oil Stages Promotion Drive for Program

SUNSET OIL Co., Los Angeles, through Pacific Market Builders, that city, on July 30 started for 52 weeks, Hal Styles' *Help Thy Neighbor*, on 8 Southern California Don Lee network stations (KHJ KGB KDB KFXM KVOE KXO KMPC KVEC), Sunday 3-3:30 p. m. (PST). The job-finding program will originate from a different community every other week and an extensive promotion campaign has been started for the series.

Inserts and Stickers

Besides sending advance letters to 2,000 dealers announcing the program, more than 10,000 stuffer inserts were mailed out along with credit cards to users of Sunset products. Dealers are also distributing a quarter million auto wind shield stickers with the slogan *Help Thy Neighbor*.

Other promotion includes 125 billboards in the Southern California area; pennants on all Sunset Oil trucks; gasoline pump and service station placards and posters: taxi cards; motion picture trailers and advertisements in major Southern California newspapers. Theme stressed in all promotion is "To Be A Good Neighbor Is Good Business".

With cooperation of civic groups, a Help Thy Neighbor Club will be established in various communities as a permanent organization. Weekly program was recently endorsed by the governors of California, Washington and Oregon, who in recognition of Hal Styles' efforts to find jobs for unemployed, declared a Help Thy Neighbor Week. The program is credited with finding employment for more than 15,600 persons.

Radio Leads Newspapers As Source of News in Prof. Summers' Survey

AMONG Iowa radio listener-newspaper subscribers, radio led by a good margin both as a source of news and an attention-getter with consumers, according to results announced in the recent poll of the Iowa radio audience conducted by Dr. H. B. Summers, of Kansas State College, for WHO, Des Moines. The study covered, in addition to the news source and advertisement recall surveys, an extensive inquiry into the listening habits, favorite stations and favorite programs of the Iowa audience. Results have been published in a 64-page booklet containing graphic illustrations, statistical breakdowns and service maps covering breakdowns of listening habits and preferences by counties and cities.

Responding to the question: "Do you depend most on a local daily newspaper, a city daily newspaper, or on the radio, for important national news?" 49.2% of the 6,997 individuals covered in the state who were both radio owners and newspaper subscribers classed radio as their prime news source, with 26.8% relying on the daily newspaper, and 24% expressing no choice. Replies were solicited only from persons who received both radio and newspaper service, and percentages remained practically constant whether the individual subscribed to both city and local newspapers or a city paper alone, except in the case of subscription to only the local paper, where radio preference jumped to 70.3% and the newspaper dropped to 13.6%. Broken down further as between men and women, the relative popularity of radio and newspapers as a news source remained constant and at the same approximate percentage.

The survey of ability to recall advertisements seen or heard, conducted with a similar group, indicated that 44.6% of all persons replying could recall a radio advertisement, while only 14.6% could recall a newspaper advertisement. Of those subscribing to both a city and a local newspaper, 48.8% recalled a radio ad, and 17% a printed ad; of the city newspaper subscribers only, 44.4% recalled a radio ad, and 14.9% a newspaper ad; of those receiving only local newspaper service, 48.5% recalled a radio ad, and 10.2% one published in their local paper.

Good News Plans

GENERAL FOODS Corp., New York (Maxwell House Coffee), on Sept. 7 will return to the NBC-Red network with a new version of *Good News*, which was discontinued for the summer June 29. New series will be produced entirely by Benton & Bowles, agency servicing the account, and not by MGM as reported. Donald Cope, the agency's Hollywood production manager, will be in charge. The program will continue to be called *Good News*, and will feature Fanny Brice, Hanley Stafford, Meredith Willson's orchestra, and guest artists. Connie Boswell will be featured vocalist and a new master-of-ceremonies will be added.

Special Arrangements

for WKY Listeners and advertisers

AUNT SUSAN, WKY's home economist, is one of the most popular figures on the Southwestern airways. Her quarter hour is the oldest regular feature of the station, making its debut in 1928.

WKY's GIANT KILGEN is typical of the station's glittering array of broadcast facilities. Studios and transmitter outshine anything to be found outside the major network centers.

ADVERTISERS sponsoring products over WKY, have working for them attractive display space in WKY's studios.

OUTSIDE THE STUDIOS, wherever things of interest to WKY's listeners happen, you'll find WKY's mobile transmitter and a trained staff of special events announcers and technicians.

● The special arrangements of WKY's musical director, Allan Clark, have long delighted both WKY and coast-to-coast NBC listeners. But no less spectacular have been WKY's special arrangements to put WKY's facilities and programming above par . . . to bring to sponsors a bell-ringing type of product exploitation.

WKY has been built on special arrangements. Its studios were designed before construction of the hotel which houses them was started. The hotel was built around them. It had its mammouth Kilgen organ, the largest ever made for purely broadcast purposes, built to its own specifications. It anticipated the needs of its listening audience for a complete handling of special events, by the installation of a 200-watt mobile transmitter and a portable pack set that permit the broadcasting of any event anywhere.

And this long list of special arrangements of WKY extends on down to its merchandising service . . . rendered by a trained staff whose knowledge of local conditions brings to sponsors the type of cooperation that means the difference between a job satisfactorily done and a job outstandingly done.

THE OKLAHOMA PUBLISHING COMPANY:
THE OKLAHOMAN AND TIMES ★ THE FARMER-STOCKMAN
MISTLETOE EXPRESS ★ KVOR, COLORADO SPRINGS
KLZ, DENVER (UNDER AFFILIATED MANAGEMENT)

WKY Oklahoma City

NBC AFFILIATE ★ 900 KILOCYCLES ★ REPRESENTED BY THE KATZ AGENCY, INC.

CBS-WCKY Pact By Autumn Seen

NBC Tentatively Arranging WLW and WSAI as Outlets

AFFILIATION of WCKY, Cincinnati, with CBS by Oct. 1 or as soon thereafter as schedules can be cleared, is contemplated under plans devised by CBS officials with L. B. Wilson, president and general manager.

Despite conflicting views as to WCKY's existing contract with NBC, which Mr. Wilson claims has been breached by that network, plans for the switch in affiliation have gone forward. NBC has consistently maintained that the WCKY contract with it runs until October, 1941. It has continued to offer Blue programs to the new 50,000-watter, but these have been rejected except on condition that they would not be construed as a contractual obligation.

Judge E. O. Sykes, former FCC member and attorney for Mr. Wilson in the proceedings, has advised NBC that such NBC programs as are placed on WCKY will be accepted without prejudice to the contentions of either party regarding the contractual situation. WCKY, he said, is willing to cooperate with NBC until such time as it switches to CBS. Judge Sykes, in a letter July 24 to Maj. Lenox R. Lohr, NBC president, set forth the position of WCKY. He stated that it was the station's plan to join CBS on Oct. 1.

Status of Other Stations

Meanwhile, it was reported that NBC tentatively has arranged with the Crosley stations, WLW and WSAI, to be regular Cincinnati outlets for both Red and Blue programs. There has been no formal confirmation of a reported arrangement under which WSAI would become the basic Blue station since WLW is now basic Red, but it was thought that plans would be devised whereby the two stations would clear for the programs of the respective networks in a mutually satisfactory manner.

Sale of WKRC by CBS is under discussion, as a part of the projected new Cincinnati setup. Now the network's owned outlet in the market, WKRC probably will be disposed of before the WCKY affiliation becomes effective in the fall. It is understood that Mr. Wilson, on behalf of WCKY, has guaranteed a price of approximately $300,000 for WKRC, though at least three other offers have been made.

NBC-Red Tightens

TIGHTENING UP on its rule that between 8 a. m. and 5 p. m. on weekdays advertisers using the Red network must include the entire basic Red in their hook-up, NBC now requires that between 11 a. m. and noon and between 3 p. m. and 5 p. m. Monday through Friday a minimum of 35 Red stations must be used, not counting Blue or bonus stations that might be added to a basic Red network. New rule went into effect July 15 for all new business. Current advertisers may renew their contracts on their present basis until Jan. 15, 1940, after which date all contracts must be adjusted to meet the 35-station requirement.

CBS EXECUTIVES found time for some relaxation during the recent NAB convention in Atlantic City. This informal shot was taken on the beach, showing (l to r) John Karol, director of market research; Mefford E. Runyon, vice-president; Jess Willard, manager, WJSV, Washington; Harry C. Butcher, vice-president; Lincoln Dellar, manager, WBT, Charlotte; William Lodge, allocations engineer; Steve Fuld, station relations; J. G. Gude, manager, station relations; Herb Akerberg, vice-president.

Elliott Roosevelt in Tiff With Coughlin Who Declines MBS Time Offer for Reply

WHILE Aircasters Inc., of Detroit, headed by Stanley F. Boynton, formerly sales promotion director of WJR, was booking time on more Midwestern stations for transcriptions sponsored by Father Charles E. Coughlin's magazine, *Social Justice* [BROADCASTING, July 1], new attention was focused last month on the Detroit priest's Sunday broadcasts over his independent 48-station hookup after Elliott Roosevelt took occasion to criticize him during his July 15 broadcast on MBS.

The son of the President, head of the Texas State Network and commentator on a thrice-weekly MBS series sponsored by Emerson Radio & Phonograph Corp., began the much-headlined controversy when he denounced Father Coughlin for alleged anti-Semitism, referred to the use of his remarks by Nazis, called him a "master of acrimonious invective" and "a compounder of stories" with a "flair for rabble rousing" and spoke of him as an "expert on silver" in connection with his silver monetization activities.

Reply From "Voice"

Hinting that the new NAB code might bar Coughlin from the radio, Roosevelt went on to say, "I am not entirely satisfied with the new radio code because it is censorship, and I dislike censorship in any form; but even censorship might not be too high a price to pay if it will help insulate us against the anti-Semitic oratory of the radio priest out in Royal Oak, Mich."

Next day, at the close of Coughlin's regular Sunday talk over his own network, "The Voice of Social Justice", an unannounced spokesman for the priest, replied to young Roosevelt in equally critical terms, denying the priest was anti-Semitic and asserting he spoke out only against communism. "The Voice" invited a Treasury investigation of Coughlin's finances and Roosevelt's. Pointing out that Mutual has refused to carry Coughlin, "The Voice" challenged Mutual to give time for reply, declaring now the issue was free speech.

During and after his broadcast, Roosevelt offered time on his own period for a reply by Coughlin. This was declined in a telegram in which Coughlin stated, "Regret I must decline to accept your kind offer of using time on the Emerson Hour to answer Elliott Roosevelt, but not dignified for me to become a party in aiding sale of Emerson products."

Mutual Offers Time

Thereupon Mutual officials telephoned Coughlin and offered him free time on another period. This was likewise declined, and the priest's reply came July 23 when his own regular Sunday hour on his own network was devoted to his defense as presented by Dr. Edward Lodge Curran, of Brooklyn, president of the International Catholic Truth Society. Dr. Curran decried the attack on Coughlin as a move of the "New Deal dynasty" to "purge" all critics of their policies. He attacked Roosevelt as a "broadcaster who subscribes to antecedent censorship". He declared Coughlin is "a tribune of the American people interested in the preservation of Americanism". Stating that Roosevelt was "untrue to his fellow broadcasters", Dr. Curran said, "Owners of broadcasting stations should be alarmed—alarmed and determined to please the public and not those who would undermine the freedom of radio."

Meanwhile, a charge of interference with Dr. Harry F. Ward's weekly program *Answering Father Coughlin* has been made by WCNW, Brooklyn. For the past several weeks, this station reports, a wireless amateur has been "jamming" this weekly series of replies to the broadcasts of Father Coughlin. Proof that this "jamming" is intentional and carried out according to a plan, says WCNW, is the fact that questions on the program are allowed to go out without interference, while the answers are "blotted out".

NBC on July 24 took over the Vanderbilt Theatre, West 48th St., New York, on a 13-week lease with an option for renewal. The *Fred Waring* program, sponsored by Liggett & Myers Tobacco Co. for Chesterfields, is now originating from the Vanderbilt.

Daniel to Be Part Owner Of New Savannah Local

HARBEN DANIEL, commercial manager of WSM, Nashville, and Aaron Shelton, WSM engineer, will become part owners of the new WSAV, Savannah, Ga., 100-watt outlet on 1310 kc., authorized for construction last summer by the FCC, if the Commission grants an application filed for transfer of the CP from Arthur Lucas to WSAV Inc. Mr. Lucas, operator of a chain of 41 theaters in Georgia and one-third owner of WRDW, Augusta, secured the original CP, but construction was stayed when Colonial Broadcasting Co., headed by James Dwight Bruce and applicant for the same facilities, appealed to the courts. The FCC's decision to grant the station to Mr. Lucas was upheld, thus clearing the way for construction. Mr. Lucas proposes to retain 151 shares of stock in the corporation, and to assign 119 shares to Mr. Daniel and 30 shares to Mr. Shelton.

Big Vick Drive

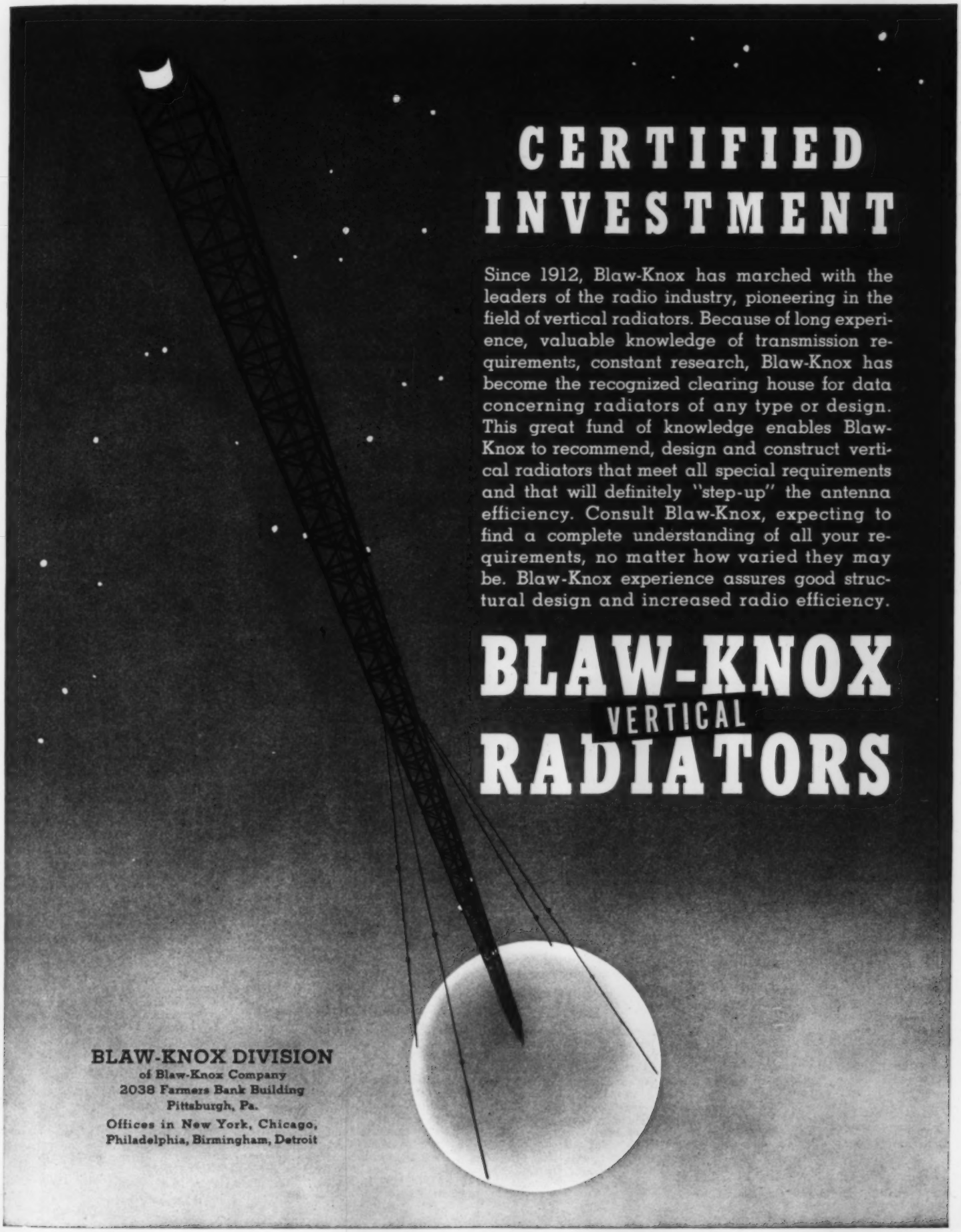
VICK CHEMICAL Co., Greensboro, N. C., on Sept. 25 will start an extensive campaign in the interests of Vapo-rub, Vicks cough drops and Vatronol, using 100-word spot announcements and quarter-hour news programs on 98 stations throughout the country, with additional stations to be lined up later this fall. Programs and spots vary from two to four times daily, six days a week. A special group of six stations on the West Coast has been chosen to carry the quarter-hour thrice-weekly program *Beyond Reasonable Doubt*, transcribed for Vick by Associated Music Publishers under the direction of William Robson. Morse International, New York, places the account.

Gulf Guild Plans

GULF OIL Corp., Pittsburgh, on Sept. 24 will return to CBS with the *Screen Guild* program, which last season earned $222,000 for the Motion Picture Relief Fund. Leading stars, writers and directors of the screen will again contribute their services free to the weekly program, and the sponsor will donate $10,000 weekly to the MPRF for a new home for aged and needy motion picture workers. Roger Pryor will be emcee. The new series will add $390,000 to the fund and will complete the $500,000 quota necessary to start construction of the home. Young & Rubicam, New York, is the agency in charge, with Joe Hill slated to produce. Tom Lewis, New York production director, is lining up personnel. Program will be heard Sundays, 7:30-8 p. m.

Burns & Allen for Hinds

LEHN & FINK PRODUCTS Co., New York, will sponsor George Burns and Gracie Allen when they return to the air this fall in a series of weekly half-hour programs on CBS in the interests of Hinds Honey and Almond Cream. The comedy team was heard last season on CBS sponsored by Liggett & Myers Tobacco Co. for Chesterfields. New program will be heard Wednesdays at 7:30 p. m. Wm. Esty & Co., New York, handles the account.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Galleries Opened In House, Senate

President and Speaker Praise Radio as a News Medium

ANOTHER orchid for radio as a news medium, along with an inferred slap at newspapers, was tossed by President Roosevelt July 24 on the occasion of the formal opening of the Radio Galleries of Congress.

In a letter to Fulton Lewis jr., Mutual commentator and president of the Radio Correspondents Assn., the President congratulated the members of the galleries, pointing out that in broadcasting of news of actual debate in Congress "ultimate public opinion will be based on the impartiality and fairness of the reporting." He added that this includes giving "equal prominence to both sides of any issue, emphasizing all of the implications of the words."

Participating in a nationwide broadcast over MBS from the new House Gallery were Speaker Bankhead, Senator W. Warren Barbour (R-N.J.) and Rep. John J. Dempsey (D-N.M.), who sponsored the radio gallery recognition legislation in their respective bodies. Among the 100 guests at the formal dedication were members of Congress, officials of the networks, broadcast commentators and radio newsmen.

Praise from President

In his letter, President Roosevelt said, "The formal opening of the Radio Galleries of Congress is an event of deep significance in the evolution of modern communications and marks a decided step forward in the dissemination of news concerning the deliberations of our National Legislature. Only a well informed electorate can discharge the duties of citizenship, and the cause of Democracy is advanced by every means which carries correct information about public affairs to the farthest end of the country."

In his address, Speaker Bankhead termed the dedication "a very important and vital milestone along the way of our great American Democracy." Pointing out that the free American press has played an important part in the American system of Democracy ever since the nation was founded, he said that "radio officially takes it place —independently, but side by side with the press—as a companion function for informing the American people what is happening in their Government.

"There is no question of radio replacing the newspapers. Radio is an *additional* medium, which broadens the field. It goes into remote places; it brings the developments of the day to far-away listeners, who might have to wait days or even weeks in order to receive their news in printed form. In that way it brings millions of additional citizens into immediate contact with the affairs of the nation and with the outside world in general."

He added it was only logical and proper that radio should have "its own rights and privileges to gather the news which it *does* disseminate." In presenting the key to the gallery to Mr. Lewis, Speaker Bankhead said he had "a warm and abiding confidence that radio will forever live up to the great moral responsibility which it takes upon its shoulders at this moment."

Rep. Dempsey, father of the FCC general counsel and a prominent member of the new House leadership, said that with the establishment of radio galleries in the Senate and House "this contact between the people and their Government is made even closer, more immediate and, because of the facilities the radio correspondents now have, more intelligent and more valuable to all of us." He said that the event was epochal because "it gives to us in a greater degree that immediate and constant contact so vitally necessary to the people of a nation and their lawmakers."

Among those attending were Neville Miller, NAB president; Frank M. Russell, Kenneth H. Berkeley, Fred Shawn, Miss Phebe Gale, William McAndrew, Charles Barry, Carleton Smith, H. R. Baukhage, Tom Knode, Rex Lampman, Earl Godwin, William Coyle, Milton Burgh, A. A. Schechter, all of NBC; Harry C. Butcher, Albert L. Warner, James Hurlbut, William Slocum, John Charles Daly, Miss Ann Gillis and Robert Trout, CBS; Alfred McCosker, William Dolph, Miss Madeline Ensign, Fulton Lewis jr., Stephen McCormick and Walter Compton, MBS; Herbert Moore, Thomas W. Davis, Edwin A. Kampmann, Miss Gertrude Chestnut, Macon Reed, Robert Moore, Theodore Noun, Fred Morrison, John Reddy, Harvey Roessler and Howard Lampman, Transradio Press; Robert Bartley and Francis Tully, Yankee; G. W. Johnstone, WOR; Boake Carter.

FORMAL INAUGURATION of radio's own news galleries of Congress took place July 26 with a party in the Capitol attended by notables in public life and radio. Fulton Lewis jr. (at left), Mutual's Washington commentator who led the successful fight for recognition of radio reporters on a par with newspapermen and who is president of the Radio Correspondents Association, receives the key to the House Gallery from Speaker William B. Bankhead (D-Ala.) as Senator W. Warren Barbour (R-N.J.) and Rep. John J. Dempsey (D-N.M.) look on. Senator Barbour and Rep. Dempsey were prime movers with Fulton Lewis in securing authorization for the galleries. In photo at right (l to r) are Albert Warner, who recently resigned as chief of the *New York Herald-Tribune* Washington bureau to become Washington commentator for CBS; Frank M. Russell, NBC Washington vice-president; Alfred J. McCosker, chairman of the board of MBS and president of WOR. The ceremonies at the dedication were broadcast.

Two for Campbell

CAMPBELL SOUP Co., Camden, now sponsoring *Amos 'n' Andy* five times weekly on CBS, is starting two new quarter-hour morning programs on the same network, both on a five-weekly basis. On July 31, *Meet the Dixons* starts in the interests of Franco-American spaghetti, and on Sept. 11 *Donna Curtis* will start on behalf of other soup products with a rebroadcast in the afternoon. Ruthrauff & Ryan, New York, placed the program for the spaghetti product, and Ward Wheelock Co., Philadelphia, is arranging the *Donna Curtis* series.

Of Mouse and Man

WHILE Art Hall, production manager of WCOP, Boston, was busy announcing an evening program of music and news recently, he glanced through the control room window and noticed Control Operator Steve White running about the control booth with a broom — chasing a mouse. Immediately cutting into the scheduled program, Hall took up a description of the man-mouse battle, carrying it through until the mouse managed to dart into its hole.

Two New Radio Treaties Are Approved by Senate

TWO international radio treaties —the International Telecommunications Convention drafted in Cairo, Egypt, last year and the Regional Radio Convention between the United States and Central American countries drafted at Guatemala City Dec. 8, 1938—were approved July 21 by the Senate without dissenting voice. Action came after Senator White (R-Me.) had explained that there was no objection to either compact.

The Cairo Treaty encompassed revision of general radio regulations agreed to at Madrid in 1932 and modified at Cairo, Feb. 1, 1938. Most important changes related to telephone and telegraph regulations. The Latin American treaty covered allocations of medium shortwave channels for broadcasting among seven nations together with engineering, legal and other principles governing their use.

Johnson Bill Dead

THAT the Johnson bill (S-517) to prohibit the advertising of alcoholic beverages, including beer, by radio, is dead was evidenced July 18 in the Senate. When the bill was reached on the calendar, Senator Vandenburg (R-Mich.) backed by a score of other members, loosed a chorus of objections. The bill was passed over as it has been a half-dozen times since it was reported with a strong minority report from the Senate Interstate Commerce Committee.

New Lever Show

LEVER BROS. Co., Cambridge (Lifebuoy), will replace its CBS *Tuesday Night Party* with a new fall series built around Walter O'Keefe. It will originate from New York starting in September utilizing network time formerly used by the *Tuesday Night Party*. Ev Meade will produce the new series. Hugh Wedlock Jr. and Howard Snyder, Hollywood writers, have been signed to write material for O'Keefe. Edmund (Tiny) Ruffner, Pacific Coast radio director of Ruthrauff & Ryan Inc., Hollywood, who was also director-announcer of the *Tuesday Night Party*, is now in New York to discuss his fall status with agency executives. With the new Lifebuoy program originating from New York and Edward G. Robinson in complete charge of his Hollywood CBS *Big Town* series, also sponsored by Lever Bros. (Rinso), there will be no agency produced shows on the West Coast for Ruffner to supervise. It is said he is averse to leaving Hollywood and may resign from Ruthrauff & Ryan to accept a West Coast production post with another agency.

Welles From Coast

WITH Orson Welles, director-actor of the CBS *Campbell Playhouse*, sponsored by Campbell Soup Co., having been signed by RKO-Radio Pictures to a four-way film contract, the weekly program will originate from Hollywood for several weeks when it resumes on that network Sept. 10. Welles, thru Columbia Artists Corp., has been signed by RKO as producer, director, actor and co-author of an as yet unnamed picture he is to make. It is to go into production around Sept. 1 and will take approximately 16 weeks to make. He is recruiting players for the picture from the stage. No RKO studio personnel will be used. Welles has three additional film offers if he wants to remain in Hollywood. Universal Pictures wants him to do Richard III; M-G-M and Paramount also have offered him contracts. Welles will have John Houseman, New York writer, and Bernard Hyman, musical director, with him during his West Coast stay.

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The Legal Case Against Censorship

NAB Counsel Points to Limited Powers of Commission

By SWAGAR SHERLEY*

WE ALL indulge in talk about the ether and it being the property of the State; that licensees are the recipients of Government favor and as such exist, so to speak, as tenants by sufferance. I in no way deny the right of regulation which, in the interest of the public, the Government possesses; but it has been easy, because of this right of regulation, for persons to conclude that there is in Government an ownership of the ether in some mystical way (always unexplained) whereby the use of this great art by the citizens of the Republic is to be considered as a favor bestowed by a generous Government, and that the recipients should therefore show a corresponding sense of gratitude and accept with whatever limitations are placed on it the right to use the art.

To my mind nothing could be more misleading. Ownership of the ether, in any strict sense of the term, is an impossibility. It is a property of nature, capable of use, but not of ownership. What the Government possesses is a right to regulate the use of the ether, and this right of regulation with a free people is limited by the need to regulate in order that proper use in the interest of society may be made.

Declaration vs. Regulation

I have said what I have said because I believe it was the intention of Congress—as I believe that it is and should be the viewpoint of this Commission—that regulation should be the child of the art's need and not the exertion of power by Government for power's sake, or of any mistaken notion that those who are licensed to pursue the art are beneficiaries of grants in the sense in which a Government with a proprietary interest might convey rights or interests to specially chosen individuals and therefore place whatever conditions upon the grant it saw fit.

It is to me exceedingly gratifying that the Commission should have made a frank disclaimer of any intention of censorship and I accept in the fullest sense of the word this disclaimer of intent. I do not question in any way its sincerity. To many it would perhaps seem that because of this disclaimer in a large sense this inquiry has become moot; that while there might still be some discussion as to a change in the phraseology of the rule, yet knowing the attitude of mind of the Commission it or a subsequent rule should be interpreted with that attitude in mind and that therefore the words of the regulation lose the significance that in the absence of such disclaimer they might otherwise have. With that view I cannot agree.

While I repeat I accept in its entirety the expression of the Commission of its attitude of mind, I cannot and do not agree with the suggestions of Commission's counsel that the Commission can officially act by any declaration of viewpoint. The Commission can only act, in my judgment, by formal action in the form of regulations or decisions.

It is interesting to note that the Commission's carefully prepared statement occupies five pages of typewriting in order to explain the intent lying behind six lines of regulation. May I be pardoned if I say that witnesses may be considered to have had some justification for expressing their uncertainty as to the significance and scope of the regulation? It will be noticed that the Commission's statement at no place deals with the meaning and construction of the language actually used in the regulation.

The Commission at no point has undertaken to define the word "culture", of which we have heard so much during the hearing, nor as to what will promote international goodwill, understanding and cooperation, and the statement of the Commission is interestingly silent as to the second sentence of the regulation, though it does affirmatively declare that the intention of the Commission was to make a distinction between the program service intended for general public reception in foreign countries as distinguished from a program service intended for reception in this country.

What Is Public Interest?

I think I am fully warranted in the conclusion that by such statement the Commission clearly indicated its belief as to its right and duty to determine the character of program service to be used internationally and I take it that with this conception of its power and its duty I am also fully warranted in the conclusion that the Commission considers that it has the power, as to domestic broadcasts, to indicate the character of program to be broadcast whenever in its judgment it may conclude it to be necessary or desirable.

I say this because the Commission justifies its intent as to international broadcasting by calling attention to the fact that it must grant such licenses only in order to serve public interest, convenience and necessity. The same yardstick—be it what it may—applies equally to the power and duty of the Commission as to domestic broadcasts.

I recognize that a public interest may not be the same when the broadcast is domestic as when it is international. I am not now dealing with the determination of what constitutes public interest. I am dealing with the assertion of the Commission of its belief that because of the duty of determining public interest, it has the right to declare affirmatively, as is done in this regulation 42.03(a), what character of program is in the public interest.

Wording of the Rule

The Commission's regulation provides:

> "A licensee of an international broadcast station shall render only an international broadcast service, which will reflect the culture of this country and which will promote international goodwill, understanding and cooperation. Any program solely intended for and directed to an audience in the continental United States does not meet the requirements of this service."

Notwithstanding the disclaimer as to intent made by the Commission, I submit that there can be no two opinions as to the language of the rule being such as in law to create and permit censorship of international broadcast programs.

And it must never be overlooked that the phraseology of the rule is an affirmative command and not simply a prohibition. It would be bad if it was a prohibition other than those which the Act itself contains. It is doubly bad when it substitutes the judgment of the Commission as to what must be said in order to be considered in the public interest. That is the very essence of censorship—the substitution by governmental fiat of a judgment as to what is desirable for the freedom of judgment of those within the purview of the regulation.

A Command

Rule 42.03(a) is an affirmative requirement that all licensees of international broadcast stations shall render a program service which both reflects the culture of the United States and promotes international goodwill, understanding and cooperation, and I respectfully submit that no question of intent on the part of the Commission in adopting the rule has any place in the construction of the language actually used.

Had the rule provided simply that a licensee of an international

* Excerpts from concluding argument on international shortwave "censorship" rule. Mr. Sherley, a former Congressman from Kentucky who was wartime chairman of the powerful House Appropriations Committee, appeared as counsel for the NAB at FCC hearings on Rule 42.03(a), July 14, 17 and 18.

Emasculation of 'Censor Rule' By FCC Next Autumn Foreseen

POSTPONEMENT until autumn of consideration of demands for modification of its international broadcast rules, which provoked strong opposition and criticism from the organized broadcasting industry, the press and members of Congress, has been decided by the FCC.

At its final regular meeting prior to its summer recess on July 26, the Commission concluded it could not complete before August its consideration of the testimony adduced at three days of hearings July 14-17. The fact that it had already suspended the operation of the purported "censorship" provision [BROADCASTING, July 15] also contributed to the view that there was no need for haste.

Sherley's Argument

The hearings were climaxed July 17 when Swagar Sherley, appearing as NAB special counsel, presented detailed arguments of radio's position and of its determination to resist any and all censorship efforts, indirect or direct. His argument that the FCC actually sought to "legislate" in its international broadcast rules, apparently had telling effect on certain members of the Commission.

While no canvass could be made of the Commission's attitude, particularly since individual members desire to study the record, the impression prevailed that the FCC would revise the onerous language and eliminate all semblance or implications of censorship. This was seen as a distinct probability since in opening the hearings July 14 the FCC disclaimed any intention of acting as a "board of censorship."

In its earlier stages, particularly with NAB President Neville Miller on the stand, examination from the bench was unusually sharp, with Commissioner Frederick I. Thompson leading the questioning. It was an open secret that certain members of the Commission resented the position taken by the NAB in connection with the international rule.

Only two of the dozen respondent's at the hearing actually favored the position taken by the FCC—the National Committee on Education by Radio and the International Catholic Truth Society. Actual licensee companies supported the views expressed by Mr. Sherley, with the exception of World-Wide Broadcasting Co.

Respondents at the hearing, who backed the position of Mr. Sherley, included Westinghouse, NBC, CBS, General Electric, WIOD, Miami, and WCAU, Philadelphia. Detailed testimony was given in behalf of the networks in which they traced the great development of international broadcasts during the last two years. General Electric also offered separate testimony, along with World-Wide.

Miller Questioned

Calming down sharply in its final two days, following the stormy opening session July 14 [BROADCASTING, July 15], the three-day international rule hearing concluded July 17 after all-day sessions Saturday, July 15, and Monday. As the prolonged proceeding, originally scheduled to finish before the weekend, reached midstage, much of the fire shown in the opening hours faded as international broadcasters themselves developed a factual record of their operations and advanced suggestions based on their own operating experiences. The two-hour concluding argument of Swagar Sherley, special coun-

(*Continued on Page 58*)

broadcast station should render an international broadcast service and stopped there, it might be argued with some plausibility that the regulation was simply a classification such as we are all familiar with in connection with ship-to-shore, police, point-to-point, and other regulations pertaining to classification.

But when it goes forward with an affirmative requirement—vague, uncertain and indefinite though it is—I submit that it is an effort at direct censorship of program content within the international field and as such is beyond the power of this Commission to enact.

It is true that there is no requirement that prior to broadcasting there shall be submitted to the Commission the program to be broadcast, but I submit also that such a requirement is not the sole test of whether or not a regulation constitutes censorship. These licensees engaged in international broadcasting must obtain the approval of the Commission that what they have done and propose to do is in the public interest in order that their licenses may continue; and if that general requirement has now added to it the specific requirement that international broadcasting shall be only such as will reflect the culture of this country, then in the very truth they hold their right to broadcast subject to the determination of this Commission as to what constitutes the culture of America and to what extent the licensee is reflecting that culture.

As always, confusion arises from the use of the same word in different senses. We have talked about censorship, using the phrase as carrying with it as a necessary incident the fiat of the government whereby the person subject to the censorship is under the compulsion of obedience.

Voluntary Regulation

The word has been used as applying to the self-imposed censorship which the members of an association such as NAB voluntarily elect to impose upon themselves in their desire to live up to the full obligation of their duties as licensees of broadcast stations, and it has been used to indicate that editorial selection which is exercised by a broadcaster in determining what shall go into a particular program. It is very vital that we bear in mind the fundamental differences that underlie the word accordingly as it applies to one or the other of these situations.

Repeated suggestions were made that inasmuch as the broadcasters had seen fit to establish standards that should control them in broadcasting, there should be no objection to the like purpose sought to be accomplished by a regulation of the Commission. Such a view, I submit, is fundamentally unsound. The vice of government censorship lies in its compelling power; like a sword of Damocles it is held over the heads of those subject to it, good will and cooperation, then I submit that the Federal Government stands committed to see to it that the broadcasts are so circumscribed and robbed of all vitality as to prevent the giving of offense; and if by chance the judgment of

(*Continued on page 56*)

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RAYMOND TOMPKINS . . . NATIONALLY-KNOWN COMMENTATOR Raymond Tompkins is particularly popular in Maryland because of his background of Baltimore newspaper work. His treatment of the news is interesting, impartial and penetrating. Available for 15 minute programs, three times weekly. Price: Time charge plus $100 weekly (net).

2

STUDIO PARTY... CONDUCTED BY MARTHA ROSS TEMPLE

Held in WFBR's Big Studio with audience capacity of 250. Miss Temple conducts a perfect "women's program" based on beauty—food—and family. The program is enlivened by George Van Dorn's NBC orchestra, guest soloists and visiting celebrities. Half-hour—daytime. Talent cost: $50 weekly.

3

PROGRAM "X" A new audience-participation program that has not yet been named. Held in WFBR's Big Studio with audience of 250. Famous scene from history or literature is dramatized; listeners selected from audience have to guess "Who—Where and—When?" Cash prize for right answer; if wrong answer is given, cash carries over to next question, building up "jackpot" and interest. Live talent dramatization, with George Van Dorn's 14 piece NBC orchestra. Half hour show for nightime or Sunday afternoon. Talent cost $130. Prize cost $30.

4

YOUTH AND THE WORLD Through cooperation of the Baltimore YMCA, a membership of 1500 boys is available for a nucleus of a show dedicated to and produced by YOUTH! Brent Gunts, master of ceremonies with Joseph Imbrogulio's NBC orchestra puts on a fast and furious half-hour show. Production and talent cost: $100 per broadcast.

5

FU MANCHU A hair-raising thriller of the air! That famous character of Sax Rohmer's stories, the insidious Doctor FU MANCHU, comes to the airways in 39 thrilling 15 minute episodes. A ready-made audience of Fu Manchu fans is anxious to tune in! 15 minutes—3 times weekly. Transcriptions: $35 per program.

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Court Balks Effort To Halt *Dr. I. Q.*

Program Not Game of Chance, According to Court Ruling

INJUNCTION against the City of Chicago was obtained July 22 by Grant Adv. Agency, that city, with the result that broadcasts of *Dr. I. Q.* will continue to originate from the stage of the Chicago Theatre. It is understood the situation was prompted by a group of independent theatre owners which disliked the capacity Monday night crowds drawn to the Chicago Theatre by the *Dr. I. Q.* series, during which from $600 to $800 in prizes are awarded weekly.

This group sought enforcement of a local ordinance outlawing games of chance and theatrical bank nights. In granting the injunction, Judge Rush of the State circuit court ruled that the *Dr. I. Q.* program does not constitute a game of chance and falls outside the provisions of the ordinance

How Prizes Are Awarded

Sponsored by Mars Inc., Chicago (candy bars), *Dr. I. Q.* offers listeners $50 cash for questions submitted in sets of four and $150 is distributed weekly to listeners sending in questions. Five top-flight announcers from the staff of NBC-Chicago are used on the show, three in the orchestra, two in the balcony of the theatre. Aside from the usual quiz show procedure, one part of the program is given to the announcement of one factual clue.

If the correct answer is given from this one clue, a prize of $25 is awarded; if not, the prize diminishes as more clues are furnished. Another slant is the distribution of cards to the theatre audience with numbers from 1 to 12 and "Yes" or "No" printed on them. Lew Valentine, the *Dr. I. Q.* of the program, reads 12 questions for the audience to check on the cards with $100 cash for the winner. If no one gets the answers the $100 goes to the kitty for subsequent programs.

The program started as a test on WSB, Atlanta, in January, 1939. In March, it was expanded to an 8-station NBC-Blue network from the stage of the Fox Theatre in St. Louis. Presently it is aired on 32 NBC-Red stations and will be expanded Aug. 26 to 56 NBC-Red stations. The Monday evening half-hour show will originate from a New York theatre after Aug. 21, according to the Grant agency.

Publisher's Spots

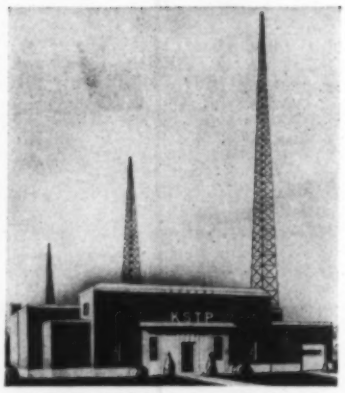
POLYGRAPHIC Co. of America, New York, on July 17 started a month's campaign of twice-daily spot announcements on 12 stations throughout the country to promote Lowell Thomas' new book on radio and television, *Magic Dials*, which was printed by Polygraphic. Announcement offer invites listeners to send $1 for a paper bound copy of the book, which sells in all bookstores in the de luxe cloth edition for $2. Book also contains more than 50 photographs, many in color, taken by Anton Bruehl. Stations are WGY WBZ-WBZA WRC WMAL KYW KDKA WTAM WENR WMAQ KOA KGO KPO. Account was placed direct.

Under His Nose

REGINALD THOMAS, manager of NCB's transcription department, scratched his head as he went afield in search of a leading exponent of the Novachord to play for the *Novatones* program July 20. Calling the Hammond Co., which manufactures the musical instrument, and asking for "the world's best player", Thomas was told, "The best Novachord player we know is Ted Steele over at NBC". Ted Steele works for Thomas.

Ken-L-Ration Test

CHAPPEL BROS., Rockford, Ill. (Ken-L-Ration dog food), has started a test campaign of five weekly man-on-the-street broadcasts on WOC, Davenport, Ia. Ruthrauff & Ryan, Chicago, is agency.



ARCHITECT'S sketch of the new 50,000-watt transmitter plant of KSTP, St. Paul, on which work started last month and which will be ready for operation this autumn. A three-tower directive array system is being installed. Each tower is 345 feet high, and all have been set in a direct line, 200 feet apart. A 200-foot emergency tower will also be installed.

ADVERTISING SPEAKS FOR ITSELF

Pacific Coast Campaign Promotes All Media As Broadcasters Cooperate With PACA

By JAMES McGUIRE
Markets Division,
McCann-Erickson, San Francisco

JOHN ALDEN, whose story Longfellow immortalized, was a poor salesman. He tried to sell Captain Miles Standish to the charming Priscilla when the latter much preferred that he sell himself. She so enlightened him in the crushing words: "Speak for thyself, John."

The thought occurs that advertising might well be the John Alden of today. Busy selling the public on quality products, it forgets that it must also sell itself.

A Job to Do

And no idle words are these. One needs but open his ears to the discordant blast of anti-advertising propaganda to realize that we in advertising have a little selling job of our own to do. We have a story and a thrilling one—a tale that spans a quarter of a century and more. But it remains untold. That is, as far as the average person is concerned.

With the approach of the 36th annual convention of the Pacific Coast Advertising Clubs in Oakland June 25, an opportunity arose to speak our piece. It was obvious that the convention would be publicized all over the Pacific Coast. More than that, however, it was realized that this publicity could be something more than just news of the convention itself. Why not sell the business of advertising as well?

In the San Francisco offices of McCann-Erickson, C. E. Persons, vice-president in charge of public relations work, has just finished a booklet "The Greatest Exposition in the World." Here it was pointed out that there is, in the United States today, an exposition greater — far greater — than the Golden Gate International Exposition and the New York World's Fair combined. The name of this truly marvelous exposition, it said, was Advertising.

It costs about 700 million dollars a year—yet it saves the consumer money. Paradoxical as this last statement might seem, the copy goes on to prove that advertising, while elevating and bettering consumer standards, and finding markets for products new and old, has really saved the public good hard cash. It shows how, in a quarter of a century, advertising has cooperated with business to make the American way of living the better way.

Proof sheets of "The Greatest Exposition in the World" were sent to radio stations throughout California. They were urged to cooperate between June 25 and 29, the convention period, by broadcasting releases telling the good work that advertising is doing.

To say the radio people came through in characteristic fashion would be a gross understatement. Response after response poured back to us. The radio people were more than happy to cooperate. They appreciated the reason behind the plan and were willing to act. Many replied that they were going to fashion programs around the material contained in the booklet. Others told of sponsored programs that would have as their theme advertising and the convention.

Some Examples

KYA, San Francisco, for example, built a 15-minute show around "The Greatest Exposition in the World". The piece was adapted to radio by Station Manager Reiland Quinn. Somewhat the same idea was employed by KQW, San Jose, which broadcast five separate five-minute evening programs from June 23 to 28.

KPO and KGO, NBC stations in San Francisco, scheduled a week of interviews with advertising people such as Harold Deal, president of the PACA, and Florence Gardner, executive secretary of the San Francisco Advertising Club. Janet Baird of NBC, whose program *Who's in Town Tonight* is heard every Friday evening from the St. Francis Hotel, interviewed August J. Bruhn, Pacific Coast Council chairman, AAAA.

KROW, Oakland, used the material in the Exposition booklet on their *Voice of Public Service* program for the period of the convention week. On this same station Davidson & Licht's *Man-on-the-Street* program on June 27 was devoted to the question, "What is the best advertisement you have seen or heard in the past month?" Beside this, KROW turned over their *Skullcrackers* program on Monday night, June 26, sponsored by Kay Jewelers, to the advertising theme.

The CBS Pacific network carried the special PACA broadcast June 25. This broadcast was publicized on Columbia's own time through station announcements and press stories to papers carrying radio news.

The entire program was made possible only through the splendid cooperation of the entire radio industry and particularly NBC, CBS, Mutual, Hearst Radio, and KQW, San Jose; KMJ, Fresno; KROW, Oakland; KLX, Oakland; KGDM, Stockton; KPMC, Bakersfield; KSRO, Santa Rosa; KJBS San Francisco; KYA, San Francisco; KFWB, Hollywood; KDON, Monterey; KVEC, San Luis Obispo; KVOE, Santa Ana.

Letters from many points indicate the success of the campaign and the interest in "The Greatest Exposition in the World" which seems to have created somewhat of a sensation in advertising circles.

Mushroom Institute

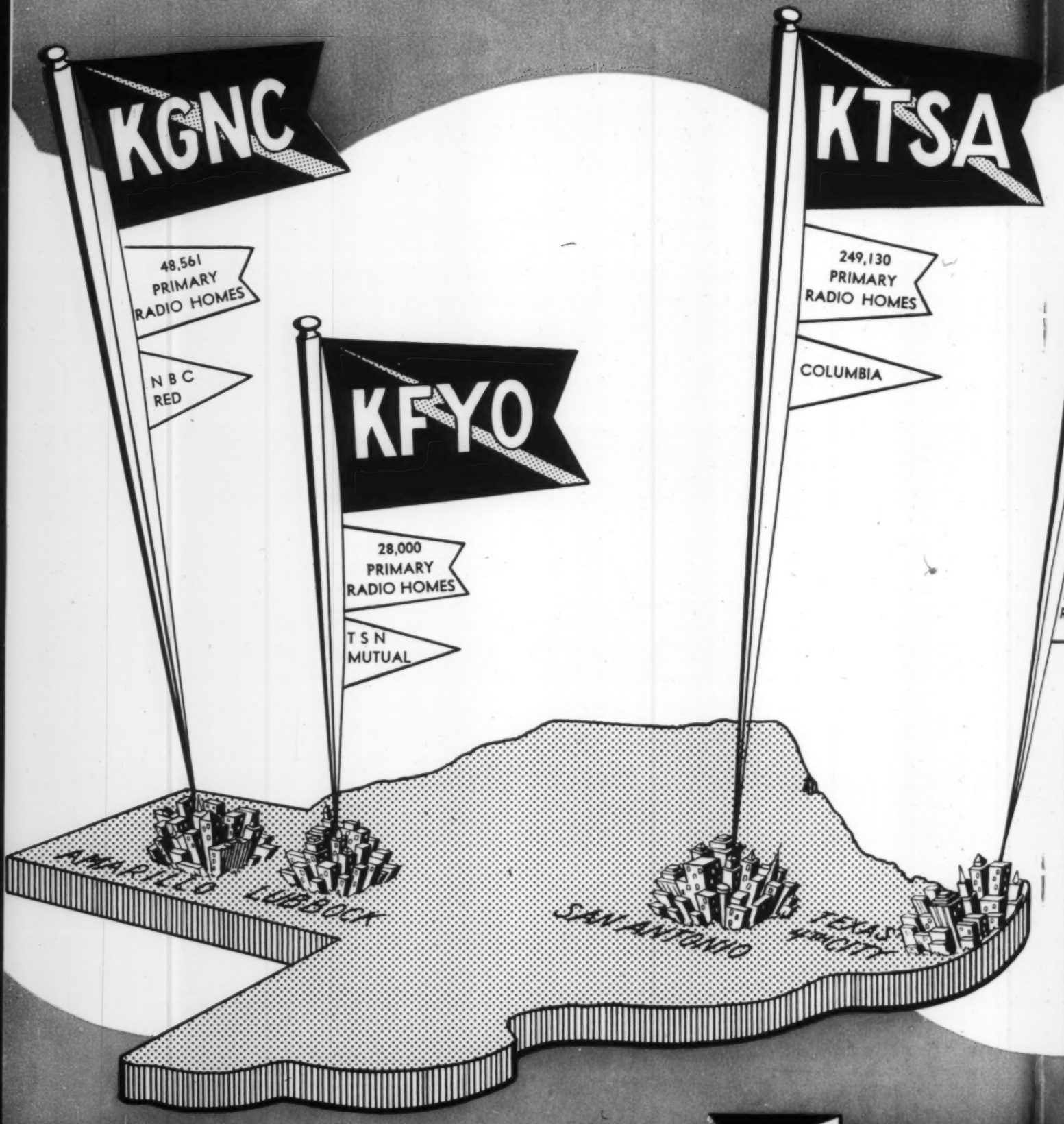
CULTIVATED Mushroom Institute of America, a group of nine mushroom growers and canners from various parts of the country, has been formed with offices at 369 Lexington Ave., New York. Radio is included in the Institute's plans for a cooperative campaign to acquaint the public with the new uses recently developed for canned mushrooms. No definite plans have been made to date, according to H. E. Conrad, executive director of the Institute, except that on Aug. 15 the *Home Markets* program on WNYC, New York's Municipal station, will be devoted to the mushroom campaign. Gooch & Co., New York marketing engineers, are in charge of merchandising and marketing for the Institute, Alden Caulkins handles public relations, and an advertising agency will be chosen within the next few weeks to place all advertising.

Stoopnagle for Mennen

MENNEN Co., Newark (shaving cream), on Oct. 20 will start its second series of audience participation programs on MBS, this year featuring Colonel Lemuel Q. Stoopnagle as m.c. of the *Quixie Doodle Contest*, a weekly "fun quiz" program with no serious questions included as on the *People's Rally* programs, heard last year. Five audience participants will try to answer correctly the "Quixie Doodles" sent in by listeners. Correct answers win $10 for the contestants, the total to be divided among the team members at the end of each half-hour weekly broadcast. H. M. Kiesewetter Adv. Agency, New York, places the account.

550 KC
KTSA
SAN ANTONIO
FULL
COLUMBIA
SCHEDULE
Another FLAG RAISING
Down In TEXAS!

KTSA JOINS BANNERS WIT



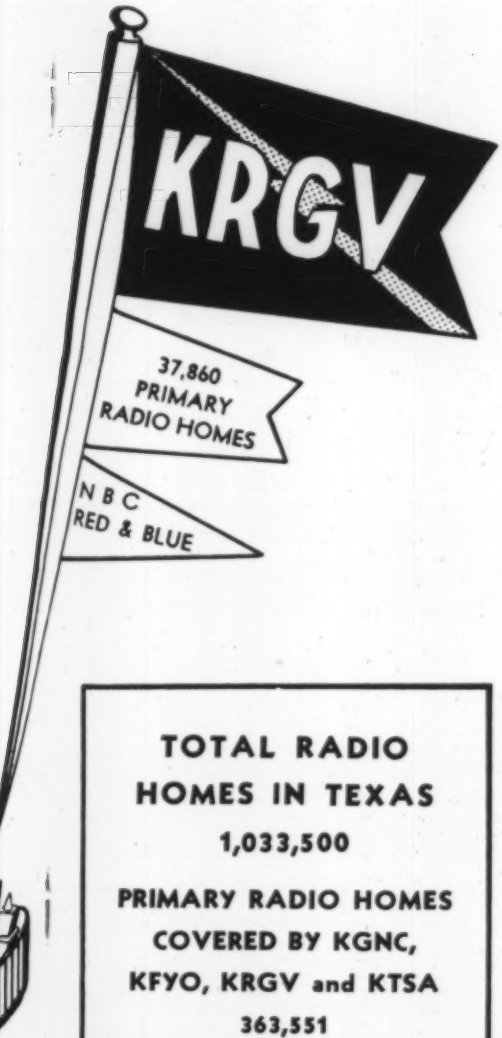
HOWARD

New York

TH KGNC, KFYO AND KRGV

ANOTHER "PREFERRED STATION" AND ANOTHER IMPORTANT MARKET ARE ADDED TO THE

TAYLOR-HOWE-SNOWDEN GROUP



SAN ANTONIO, like Amarillo, Lubbock and Weslaco which serves the Lower Valley Grande—Texas' 4th City, is a loyal, "home-town" city . . . has been since the battle of the Alamo.

And KTSA, like other stations in this group, is the unrivaled favorite of home folks and local businesses. (A comparison survey shows that KTSA carried more than three times as many local commercial programs during the week of April 30 to May 6 as did any other high-powered San Antonio station.)

Under its new management, KTSA will give you the same type of dominating coverage and market penetration you have learned to expect from its sister stations KGNC, KFYO and KRGV . . . the same type of loyal, responsive audience . . . the same type of helpful, cooperative merchandising service.

If you want to cover Texas, effectively, you cannot ignore any one of these four stations which dominate 35% of Texas' radio homes.

TOTAL RADIO HOMES IN TEXAS
1,033,500

PRIMARY RADIO HOMES COVERED BY KGNC, KFYO, KRGV and KTSA
363,551

35%
OF TOTAL COVERAGE

ARD H. WILSON COMPANY, REPRESENTATIVE
Chicago Kansas City San Francisco

FOUR *Banner* STATIONS
At An Attractive
COMBINATION RATE!

NATIONAL advertisers who have a job to do down in Texas can quickly see that here are four MUST stations. Complete data on these stations, and their markets, is probably already in your file. If not, it can be furnished by Howard H. Wilson Co. . . . or will be sent quickly direct from the stations, upon request.

IRNA Paves Way For Fall Session

Rosenbaum Names Committee To Plan NAB Affiliation

APPOINTMENT of a committee of seven to prepare a preliminary draft for organization of Independent Radio Network Affiliates on a permanent basis was announced July 17 by Samuel R. Rosenbaum, president of WFIL, Philadelphia, and chairman of IRNA. The committee is scheduled to meet in New York Aug. 4, at which time it proposes to lay the groundwork for a permanent organization affiliated with the NAB, which was agreed to by unanimous vote of IRNA at a meeting in Atlantic City July 11 held in conjunction with the NAB Convention.

The plan would come before an IRNA convention, probably to be held in Chicago in mid-September, Mr. Rosenbaum said. The convention date will coincide with that set for the special convention of NAB to consider the ASCAP-copyright situation in the event of collapse of current negotiations involving contract renewals in 1941. Under the resolution adopted at the Atlantic City convention by NAB, the Copyright Committee is authorized to call such a convention for Chicago by mid-September should ASCAP refuse to deal on an equitable basis as of Aug. 1.

Suggestions Sought

Members of the IRNA organization committe, in addition to Chairman Rosenbaum, are H. K. Carpenter, WHK; Arthur B. Church, KMBC; Walter J. Damm, WTMJ; John A. Kennedy, WCHS; Paul Morency, WTIC; John Shepard 3d, Yankee Network. The plan, Mr. Rosenbaum said, is to circulate the report and findings of the committee to all 357 network affiliates as near to Sept. 1 as possible so they can be fully appraised of the proposal prior to the convention.

Mr. Rosenbaum asked affiliates to submit opinions and suggestions concerning "several items of importance" to IRNA members, particularly proposals for payment of copyright royalties at the source, payment of copyright royalties only on programs using ASCAP music, elimination of the "free rider" network spot announcements, and elimination of network chain break free announcements by network advertisers.

Convention Planks

In his letter to all network affiliates, Mr. Rosenbaum reviewed the action of the INRA meeting in Atlantic City and asked affiliates to submit their views in person or in writing to members of the special committee prior to Aug. 4.

In elaborating on specific present problems, Mr. Rosenbaum said the platform to be considered should contain planks calling for elimination of the objectionable chain-break announcements by network advertisers, and elimination of the objectionable network "trailer" announcements by network advertisers.

On copyright, the platform should include "insistence on inclusion of the principle of clearance at the source in any new deal with ASCAP" and "insistence on the principle of payment of tax to ASCAP only when ASCAP music is used."

In setting up IRNA as a permanent organization, the question of operating funds must be met, affiliates were advised. Heretofore IRNA officers and committee members have paid their own travelling expenses. One suggestion was that a scale of dues be adopted bearing some relation to NAB dues. Affiliates who are NAB members might agree to pay to IRNA annual dues equivalent to 10% of NAB dues, while non-members of NAB might pay the equivalent of 25% of NAB dues.

FOR POPULAR Dakota interview programs WDAY, Fargo, N. D., and WNAX, Yankton, S. D., go directly to the scene, record the interviews and then piece them into full-length programs. Sponsored by the local Gate City Building & Loan Assn., the *Meet Your Neighbor* series on WDAY takes Howard Nelson on explorations into all sorts of strange occupations and hobbies, including a visit to a Fargo veterinarian's dog hospital (left), and the "workshop" of Miss Esther Heine, X-ray technician (center). To spice up his agricultural features on WNAX, Charles Worcester, the station's farm service director, goes direct to the farmer for his interviews, and here he is (at right) talking it over with a farmer-listener.

Virginia Commission Drops WJSV Case, Classing Its Operations as Interstate

IN THE most comprehensive opinion yet written on radio as an instrumentality of interstate commerce, holding that it is not subject to license regulation by the States, the State Corporation Commission of Virginia recently dismissed an action against WJSV, CBS-owned Washington outlet, which has its transmitter located at Alexander, Va.

After a year-and-a-half of consideration, the Commission concluded that broadcasting constitutes interstate commerce and that even though "messages" originate at the studio of WJSV in its transmitter building at Alexandria "they constitute activities in interstate commerce". The Virginia Code, under which CBS was cited to show cause why it should not be fined for transacting business in that State without having first obtained a certificate of authority, fixed an entrance fee for WJSV of $1,000.

Because of the significance of the issue, invading the right of States to license and regulate broadcasting, CBS decided to make the case a test and refused to take out a license to do business in Virginia. As a consequence, the Commonwealth instituted proceedings before the Corporation Commission.

CBS View Sustained

A year-and-a-half ago the issues were tried exhaustively before the Corporation Commission in Richmond. CBS assigned its New York counsel, Godfrey Goldman, Ralph F. Colin and Max Freund, of the law firm of Rosenberg, Goldmark & Colin, to the case and the issue was gone into exhaustively. The 41-page opinion of the Commission, written by its chairman, William M. Fletcher, who is regarded as one of the country's foremost students of corporation law, sustained the CBS contentions on all counts.

Because of the comprehensive nature of the opinion and because it reviews and analyzes not only the radio law but the philosophy of broadcast regulation, it is felt the ruling establishes new legal precedent. While repeated efforts have been made by States to regulate and license broadcasting as a means of procuring additional revenue, the exclusive right of the Federal Government to regulate the medium as interstate commerce has been upheld in the past not only by the Federal courts but by the Supreme Court itself.

Uniform Regulation Needed

Chairman Fletcher in his conclusions held that radio "is peculiarly national in scope and requires uniformity of regulation." Congress, he pointed out, has taken jurisdiction over the entire field of radio communications and broadcasting and he found that WJSV is not doing any "intrastate business in Virginia but is solely engaged in interstate commerce and, therefore, is not required to comply with Section 3847 of the Code of Virginia and obtain a certificate of authority to do business in Virginia".

During trial of the case, Mr. Colin contended not only that broadcasting is interstate commerce and as such is not subject to license regulations by the States but that an impossible situation would exist if each of the 48 States were to attempt additional regulation of broadcasting which might be different in each of the States and in many cases at variance with the regulations of the Federal regulatory body.

Reviews History of Law

In his opinion, Chairman Fletcher prefaced his conclusions with a history of the radio law and with a dissertation on the nature and operation of radio. He cited more than a dozen cases in which the lower Federal courts and the State courts have held that transmission of program messages across state lines by broadcasting constitutes interstate commerce. After reviewing these cases, plus several decided by the Supreme Court as well as analagous cases regarding the rights of states to tax foreign corporations, Chairman Fletcher concluded that every new decision in cases involving the question of Federal and state regulation "makes it more and more evident that radio regulation is entirely Federal."

The courts, he added, are constantly going "further and further to show that a State can practically do nothing to interfere with radio in interstate commerce. In other words, radio in the United States is subject to the direct control of the national Government, which is in accord with the theory of radio control in all other nations. Although Congress has provided for the private ownership of American radio stations, they are at all times subject to the control of the Federal Government, even to the extent of being taken over and operated by Government officials, subject always to the protection of the Constitution as to being taken only by due process of law. Radio can never be purely domestic or intrastate. It is nationwide and worldwide."

FCC Authority

Regarding WJSV's status, the opinion brought out that the FCC had exercised the authority vested in it by granting to the station a license to operate its transmitter at Alexandria. This authority, the opinion held, included all services incidental to transmission by radio and the "generation of carrier waves is such a service." Beyond that the opinion brought out that the WJSV applications for licenses indicated that the licenses granted by the FCC specified the type of vacuum tubes which were to be used at the transmitter and which generate the carrier waves.

"There can be no doubt, therefore," said the opinion, "but that respondent has been authorized by the FCC to generate the carrier waves at the transmitter in Virginia and transmit messages originating in Virginia."

While the WJSV transmitter is still located in Alexandria, CBS is building a new 50,000-watt transmitter in nearby Maryland which it expects to dedicate before the end of the year. The Alexandria site will be abandoned.

World and W

BUILD AUDIENCES

Today's radio listeners constitute an audience of listening experts. They know good music, good programming, good reception and good transcriptions.

And while they may not know that World vertical-cut Wide Range transcriptions are the very ultimate in high fidelity recording—they *do* know by the year-in and year-out evidence of their own ears that World transcriptions give them the most life-like, faithful reproductions of all.

No wonder the most discriminating radio stations subscribe to World's Library Service, and install the most sensitive and costly reproducing equipment solely to broadcast World's recorded masterpieces. World attracts quality stations and quality stations attract World.

ALABAMA
WHMA . . . . *Anniston*
WMOB . . . . *Mobile*
ARIZONA
KOY . . . . *Phoenix*
ARKANSAS
KELD . . . *El Dorado*
KARK . . . *Little Rock*
KUOA . . *Siloam Springs*
CALIFORNIA
KPMC . . . *Bakersfield*
KIEM . . . . *Eureka*
KGER . . . *Long Beach*
KHJ . . . *Los Angeles*
KLX . . . . *Oakland*
KGB . . . *San Diego*
KFRC . . *San Francisco*
KDB . . *Santa Barbara*
KSRO . . . *Santa Rosa*
KHUB . . . *Watsonville*
COLORADO
KFEL . . . . *Denver*
KFXJ . . *Grand Junction*
KGHF . . . . *Pueblo*
CONNECTICUT
WTIC . . . . *Hartford*
WELI . . . *New Haven*
DIST. OF COLUMBIA
WJSV . . . *Washington*
FLORIDA
WRUF . . . *Gainesville*
WQAM . . . . *Miami*
WDBO . . . . *Orlando*
WJNO . *West Palm Beach*

WORLD PROGRAM SERVICE

a service of

WORL

World Stations

ES FOR ADVERTISERS

True, World Program Service, with its 2500 separate musical selections, is the greatest repertory of music ever recorded for radio . . . true, it offers advertisers 150 artist and orchestra names they're unable to bring to their programs through any other source . . . but primarily the stations shown on this page chose this library because their audiences are fans for World music.

Advertisers and agencies are invited to investigate World Program Service. Also, World's general recording service and World's new "Gold Group," the first transcription system of stations to combine the extreme flexibility of "spot" with the simplicity of network operation. Address nearest World office: New York, Chicago, Hollywood, San Francisco, Washington.

BROADCASTERS' BLUE BOOK

GEORGIA
WAGA . . . . Atlanta
WRDW . . . . Augusta
WMAZ . . . . Macon
WRBL . . . . Columbus
WAYX . . . . Waycross
WTOC . . . . Savannah

IDAHO
KIDO . . . . . Boise
KRLC . . . . . Lewiston

ILLINOIS
WGN . . . . Chicago
WDAN . . . . Danville
WJBL . . . . Decatur
WTAD . . . . Quincy
WCBS . . . . Springfield

INDIANA
WTRC . . . . Elkhart
WGBF-WEOA . Evansville
WIRE . . . Indianapolis
WLBC . . . . Muncie

IOWA
WMT . . . Cedar Rapids
WOC . . . . Davenport
KMA . . . Shenandoah

KANSAS
KFBI . . . . Abilene
KWBG . . . Hutchinson

KENTUCKY
WLAP . . . Lexington
WPAD . . . . Paducah

LOUISIANA
WJBO . . . Baton Rouge

MAINE
WLBZ . . . . Bangor

MARYLAND
WBAL . . . Baltimore
WTBO . . . Cumberland
WFMD . . . Frederick

MASSACHUSETTS
WCOP . . . . Boston
WEEI . . . . Boston
WTAG . . . Worcester

MICHIGAN
WHDF . . . . Calumet
WJR . . . . Detroit

MINNESOTA
KATE . . . Albert Lea
KVOX . . . Moorhead
KROC . . . Rochester
KSTP St. Paul-Minneapolis

MISSISSIPPI
WFOR . . . Hattiesburg
WAML . . . . Laurel
WSKB . . . McComb
WQBC . . . Vicksburg

MISSOURI
KWOS . . Jefferson City
KMBC . . . Kansas City
KWK . . . . St. Louis

MONTANA
KGCX . . . Wolf Point

NEBRASKA
KFAB-KFOR . . Lincoln
KOIL . . . . Omaha

NEVADA
KOH . . . . . Reno

NEW MEXICO
KGGM . . Albuquerque
KICA . . . . Clovis
KVSF . . . . Santa Fe

NEW YORK
WOKO . . . . Albany
WGR-WKBW . . Buffalo
WESG . . . . Elmira
WOR . . New York City (Newark)
WINS . . New York City
WQXR . . New York City
WHAM . . . Rochester
WFBL . . . Syracuse
WFAS . . White Plains

NORTH CAROLINA
WBIG . . . Greensboro
WEED . . Rocky Mount
WSTP . . . Salisbury

NORTH DAKOTA
KDLR . . . Devil's Lake
KRMC . . . Jamestown
KLPM . . . . Minot

OHIO
WJW . . . . Akron
WHBC . . . Canton
WCKY . . . Cincinnati
WHK . . . Cleveland
WHKC . . . Columbus
WKBN . . Youngstown

OKLAHOMA
KADA . . . . . Ada
KCRC . . . . . Enid
KBIX . . . Muskogee
KOMA . . Oklahoma City
KVOO . . . . . Tulsa

OREGON
KFJI . . Klamath Falls
KOIN . . . . Portland

PENNSYLVANIA
WCBA-WSAN . Allentown
WFBG . . . . Altoona
WKBO . . . Harrisburg
WCAU . . Philadelphia
WIP . . . Philadelphia
WCAE . . . Pittsburgh

RHODE ISLAND
WJAR . . . Providence

SOUTH CAROLINA
WAIM . . . . Anderson
WCSC . . . Charleston

TENNESSEE
WOPI . . . . Bristol
WDOD . . Chattanooga
WREC . . . Memphis
WLAC . . . Nashville

TEXAS
KGNC . . . . Amarillo
KRIC . . . Beaumont
KGKO . . Dallas-Ft. Worth
WBAP . . Dallas-Ft. Worth
KTRH . . . . Houston
KRLH . . . . Midland
KPDN . . . . Pampa
KTSA . . . San Antonio

UTAH
KDYL . . Salt Lake City

VERMONT
WCAX . . . Burlington

VIRGINIA
WSVA . . Harrisonburg
WRVA . . . Richmond
WDBJ . . . . Roanoke

WASHINGTON
KXRO . . . Aberdeen
KIRO . . . . Seattle
KMO . . . . Tacoma
KUJ . . . . Walla Walla

WEST VIRGINIA
WHIS . . . . Bluefield
WBLK . . . Clarksburg
WCHS . . . Charleston
WPAR . . . Parkersburg

WISCONSIN
WEAU . . . Eau Claire
WHBY-WTAQ . Green Bay
WKBH . . . La Crosse
WIBA . . . . Madison
WISN . . . Milwaukee
WSAU . . . . Wausau

HAWAII
KHBC . . . . . Hilo
KGMB . . . Honolulu

CANADA

ALBERTA
CFAC . . . . Calgary
CJCA . . . Edmonton

BRITISH COLUMBIA
CKWX . . . Vancouver

MANITOBA
CFAR . . . Flin Flon
CJRC . . . Winnipeg

NEW BRUNSWICK
CKCW . . . . Moncton
CHSJ . . . Saint John

ONTARIO
CKPC . . . Brantford
CKOC . . . Hamilton
CKCA . . . . Kenora
CBO . . . . Ottawa
CKSO . . . . Sudbury
CKLW . . . . Windsor

QUEBEC
CKAC . . . Montreal
CKCV . . . . Quebec
CHLN . . Three Rivers

SASKATCHEWAN
CKBI . . Prince Albert
CJRM . . . . Regina
CJGX . . . . Yorkton

FOREIGN

AUSTRALIA
5 DN . . . . Adelaide
4 BC . . . . Brisbane
3 KZ . . . Melbourne
2 GB . . . . Sydney

NEW ZEALAND
1 ZB . . . Auckland
2 ZB . . . Wellington
3 ZB . . Christchurch
4 ZB . . . . Dunedin

MEXICO
XEW . . . Mexico City

SOUTH AFRICA
South African Broadcasting Corp.
Cape Town
Durban
Grahamstown
Johannesburg

PORTO RICO
Destileria Serralles Incorporated . Ponce

VENEZUELA
YV5RA-YV5RC . Caracas

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ASCAP on Defensive

FOR THE FIRST time in our recollection, ASCAP appears to be on the defensive. The courageous NAB ultimatum adopted at the Atlantic City convention a fortnight ago, revival of Department of Justice interest in the anti-trust suit which has slumbered so long in the New York Federal Courts, State anti-ASCAP laws, criminal litigation in Montana and, perhaps most important, the personal intervention of the powerful Senator Wheeler—all have converged on Tin Pan Alley like a tornado.

Broadcasters, backed by other victims of ASCAP'S arbitrary tactics of the past, are out to win the battle this time. They are not making unjust demands when they request that royalties be paid only on the commodity actually used and not on their entire income. Stations are not seeking music gratis, as it has been made to appear.

When the NAB convention unanimously adopted the resolution offered by President Neville Miller, it authorized its Copyright Committee to set a deadline on negotiations with ASCAP. The committee set Aug. 1 as the meeting date with ASCAP, but this has now been advanced to Aug. 3. If at that session ASCAP persists in what the committee has viewed as "stalling tactics", all bets will be off. A special convention of the NAB will be called by mid-September and a war chest will be created looking toward radio operation after 1940 without ASCAP's repertoire.

ASCAP is taking the industry seriously this time. It has appointed its own radio-copyright committee. It realizes its bluff has been called and knows the NAB has delegated plenary powers to its president and its copyright committee. Moreover, Senator Wheeler has not merely dallied with ASCAP officials in his conversations, and they understand he is prepared to carry the ball for legislative reforms at the next session.

While the desirable thing would be for ASCAP to agree to a reasonable form of contract, under which stations will pay royalties only on programs which they originate using ASCAP music, the industry nevertheless is determined to go the limit. Tax-free music is becoming more abundant. There are plenty of composers, authors and even publishers who gladly would assign radio rights in return for the performance of their works on the air. In these days songs do not become hits without radio. Recording, sheet music and other royalties are in direct relation to the popularity radio creates for the music. ASCAP's members realize this, but radio has never asserted itself in that regard.

Upon that Aug. 3 conference may hang the future of ASCAP. Radio will always have its music. But unless ASCAP realizes the folly of its past position, ASCAP may not have radio.

Without Prejudice

THE FCC order changeth. Frank R. McNinch, because of frail health, leaves the Commission after a turbulent tenure of nearly two years. His successor as chairman, James L. Fly, young, aggressive and with an excellent legal background, takes over.

When Chairman McNinch was drafted by President Roosevelt to succeed the late Anning S. Prall, the assignment was to have been a temporary one. He pitched in with every ounce of energy he possessed and at first set a swift pace. The three-month "cleanup" campaign extended to a year and then into the next. Finally, there was recurrence of an old stomach ailment, and he was forced to let up.

Many of Chairman McNinch's ideas misfired. He certainly was not lacking in courage, and no one questions his sincerity, though many in radio have not seen eye to eye with him on the majority of his proposed "reforms". But if he has done nothing more than bring to the FCC the new blood and fresh thinking that now is guiding its legal destinies, we believe his contribution to the public service and to radio is noteworthy. His selection of William J. Dempsey as general counsel has proved a boon to the efficiency of the FCC.

Mr. McNinch turns to less arduous work, without administrative responsibilities, on advice of his physicians. He will serve as special counsel for the Government in power and possibly communications matters, as well as handle a private practice. The broadcasting industry wishes him Godspeed.

The incoming chairman was not selected for political reasons, unlike certain other FCC appointments. Because he has not had practical association with any phase of radio regulation, it is presumed he comes to the FCC with no preconceived notions. Friends and associates describe him as a lawyer and a scholar, who sets out to learn his subject before he reaches a conclusion. The fact that he has been a Government attorney of repute for the last 10 years, and has never sought the limelight despite important assignments, augurs a type of personality which the FCC and those subject to its regulatory authorities should welcome.

Out From Under

LATTERLY, the FCC, bulwarked by an extraordinarily capable legal and engineering staff, has been extending itself with noteworthy success to pull itself out of the morass of unfinished business that has bogged it down during the period of indecisive policy and personality clashes. That is all to the good. What still rankles, however, is the apparent unwillingness of some of the members to meet the industry on a basis of mutual goodwill. The recent international shortwave hearings, marked by an asperity that sometimes created a police court atmosphere, is a case in point.

While perhaps the NAB's first approach to the "censorship" rule might have grated on susceptibilities already worn thin, the fact is that both before and during the hearing no goodwill was displayed by certain commissioners. It was a strange procedure when the FCC twice declined to suspend the rule pending hearing, then on its own motion did that very thing as the hearing formally opened. The conduct of the hearing itself caused Swagar Sherley, distinguished NAB counsel who for years himself sat at the head of the all-important House Committee on Appropriations, to remark on the conspicuous absence of courtesy, notably toward NAB President Miller.

As for the merits of the industry's anti-censorship case, Mr. Sherley's peroration (excerpted in this issue) was to our minds a splendid documentary exposition of radio's determination to resist any and all censorship efforts, indirect or direct, tacit or expressed. Broadcasters, he said, are not tenants of the wavelengths by sufferance; regulation rather should be the child of the art's need. The essence of censorship is a substitution by Government fiat for freedom of judgment; the first is servitude, the second takes care of itself by voluntary restraint such as the industry's new self-imposed code implies. Accepting the motive of the Commission's five-page disclaimer of intent to censor [BROADCASTING, July 15], oft-repeated from the bench, Mr. Sherley said that was not enough, since the language of the disputed rule was explicit and the Commission cannot act on a mere "declaration of viewpoint".

If the regulation is not to be enforced, Mr. Sherley declared, and if it does not mean what it says, there is no need for it. The language is what counts, and small wonder that the industry is confused by a six-line regulation when it took five pages to explain its intent or lack of intent. The simple fact of the matter is that the industry, many members of Congress and virtually every editorialist who took occasion to comment on the rule understood it well enough, especially in the light of past threatening utterances and edicts of commissioners about the content of certain radio programs.

We hope the era of mutual distrust will pass with the withdrawal of this rule, with the new efficiency already discernible in Commission operations and with the appointment of the new chairman to lead the Commission.

ADVERTISING Federation of America has issued to its sustaining members a new supplement to its *Books for the Advertising Man*, a cumulative bibliography of advertising and marketing books published from 1935 to 1938, together with names and addresses of publishers. The radio classification lists 10 books.

We Pay Our Respects To —

JOHN LAWRENCE GRIMES

WHEN 20,000 people packed the Court of Peace of New York's World Fair recently to watch the coast-to-coast broadcast of *It's Wheeling Steel*, an important tribute was paid an unusual program originated and developed by a unique personality — John Lawrence Grimes. For on Nov. 8, 1936, an institutional radio program which drew its talent from its sponsor's employes started over WWVA, Wheeling, W. Va. It was a brainchild of the company's advertising manager whose background led to the hunch that everybody would enjoy listening to an all-employe radio program capable of demonstrating the human interest innate within a large steel corporation.

So simple and right was the hunch that advertising men all over the country have said, "Why didn't I think of that", and the program has expanded from three Mutual stations since Jan. 2, 1938, until today 27 MBS stations air the Sunday afternoon series, which costs about $150,000 annually.

More than 800 employes have appeared as headliners on the program since 1936 and the 17 musicians of the original orchestra are still with the show. Many personnel directors of large corporations have gone to Wheeling for answers suggested by the employe interest created as a result of *It's Wheeling Steel*. Newsmen have written widely about the series and not long ago *Life* Magazine devoted four pages to the steelmakers who use their spare time in entertaining listeners all over the country and proving that a large corporation need not be soulless. From the show have come at least 10 top radio stars who have found their places on the stage and on other national radio programs.

These are the cold statistics of a radio show that demonstrates to every listener the warm personality of John Grimes. Years before the program went on the air, Mr. Grimes saw the possibilities in having the company's workers promote the product they produced. He discovered and developed their talents. With Walter Patterson, then program director of WWVA and now producer and announcer of the program, he built the first broadcast. Known in Wheeling as "Pop", Mr. Grimes makes the health and education of Wheeling employes a part of his personal concern. A symbol of his success in company relationships is the fact that "Pop" Grimes now has the employes saying "Our program" and "Our company".

Born March 7, 1891, in Covington, Ky., Mr. Grimes moved with his parents to nearby Portsmouth, O., where he attended public schools and high school. He was graduated from high school into the editorial rooms of the *Portsmouth Daily Times* where he did his turns at obituaries, police court, county court and sports, as well as a Saturday page of theatrical news and gossip. Later he sold space and became advertising manager of the paper. He left newspaper work to manage advertising for an engine company, then left this to do bulletins on a street railway advertising contract. Soon his interest turned to steel and he joined the Portsmouth Steel Co., now a subsidiary of Wheeling Steel. In 1915 he moved to Wheeling, as advertising manager of what is now Wheeling Steel Corp., and with the exception of the 1919-1924 period when he was with Firestone in Akron, he has been in charge of advertising for Wheeling Steel.

His success is the success of a versatile, open mind. Examples of this versatility are his many hobbies, which include golf, photography, painting, music, deep sea fishing and collecting. For many years he has organized amateur and professional golf tournaments in Pennsylvania, Ohio and West Virginia, and he is given full credit for discovering and fostering Sam Snead's genius on the fairways. His golf handicap recently changed from 5 to 10, one fact that he'll grin and blame on the many hours he spends developing the company's radio program. His son, Jack, 23, boasts a 3 handicap and beats "Pop" regularly. Mr. Grimes' other children are Judy, 22, and Andy, 12.

Mr. Grimes is a Kentucky Colonel, Mason and member of the Fort Henry Club, Wheeling Country Club, Belmont Hills Country Club and Oglebay Park Country Club. He is an honorary member of Local 142 of the American Federation of Musicians and Local 51 of the Theatrical Mutual Assn.

That Mr. Grimes has advertising perspective may be seen in his statement: "Common sense tells you whether you should use white space or the air waves, or both, when it comes to doing a public relations job. I believe that institutional advertising such as *It's Wheeling Steel* will increase in the future, for it aims at creating a favorable opinion of a product. Other advertisers are constantly investigating the Wheeling formula."

Personal NOTES

KARL STEFAN, Republican Congressman from Nebraska, who formerly was on the staff of WJAG, Norfolk, Neb., sailed with Mrs. Stefan July 26 for Oslo, Norway, where he will be an American delegate to the Interparliamentary Union's 50th anniversary conclave. After the Oslo conference, he will tour Europe for the House Appropriations Committee, of which he is a member, to investigate American diplomatic missions with a view to determining whether their expenses can be reduced.

ROBERT SAUDEK, formerly assistant to A. E. Nelson, sales manager of the NBC-Blue network, has been appointed assistant to Keith Kiggins, who was recently named director of the Blue network.

J. A. BRILLANT, owner of CJBR, Rimouski, Que., was appointed on July 13 by the Canadian Government as one of six directors of the new Government-owned Central Mortgage Bank, a subsidiary of the Bank of Canada.

DR. GEORGE W. YOUNG, president of WDGY, Minneapolis, and amateur aviation enthusiast, has sold his big Sikorsky monoplane in favor of a speedier landplane which he pilots for sport. The Sikorsky, he reports, is now being used out of Barranquilla, Colombia.

HENRY ROOT, formerly account executive of KYA, San Francisco and more recently on the advertising staff of *Fanfare*, a Pacific Coast publication, has joined the sales staff of KJBS, San Francisco.

ED KIRBY, public relations director of NAB, and Mrs. Kirby, on July 21 became the parents of their first child, a 7 lb. 14 oz. daughter, born in Washington.

GUY BRADFORD, with KRGV, Weslaco, Tex., for the last 11 years, has been named assistant manager, according to an announcement by Ken L. Sibson, KRGV manager.

EDWARD H. GUILFORD, formerly manager of the West Coast branch of Capitol Radio Engineering Institute, has been appointed chief registrar of the school, with headquarters at the main office in Washington, D. C.

RAY RHODES, account executive of NBC, San Francisco, and Miss Elizabeth Eggers, recently announced their engagement.

DON E. GILMAN, NBC western division vice-president, Hollywood, has been reappointed chairman of the State radio advisory committee of the California State Chamber of Commerce. Other members are Lewis Allen Weiss, vice-president and general manager of the Don Lee Broadcasting System, Los Angeles; John M. Dolph, executive assistant to Donald W. Thornburgh, CBS Pacific Coast vice-president, Hollywood; Howard Lane, general manager of the McClatchy Broadcasting System, Sacramento, and Ralph Brunton, owner of KJBS, San Francisco, and KQW, San Jose.

ROGER C. PEACE, operator of WFBC, Greenville, S. C., publisher of the *Greenville News-Piedmont* and president of the South Carolina Press Assn., headed a party of 186 members of the association and their families who arrived in New York July 16 for a four-day visit to the New York World's Fair.

CARL NISSEN, former commercial manager of KNX, Los Angeles, has taken charge of sales for KQW, San Jose, in the San Francisco-Oakland territory. The new 5 kw. plant of KQW, located at the lower tip of San Francisco Bay, is expected to be in operation about Sept. 1.

JOSEPH R. MATTHEWS, formerly of KMBC, Kansas City, has joined the sales staff of WHBF, Rock Island, Ill.

C. O. CHATTERTON, formerly director of KGW-KEX, Portland, Ore., and former business manager of the *Portland Oregonian*, has started a business consulting service in the Joseph Gerber Bldg., Portland. He resigned from the *Oregonian* last winter.

GEORGE R. HAHN, commercial manager of KSOO and KELO, Sioux Falls, S. D., has been named as sistant manager, in addition to his sales duties, according to Joseph Henkin, president and general manager. Mr. Hahn has been with the stations for 11 years.

EDWARD PARRO, formerly of the Chicago office of Texas State Network, has joined the sales staff of KMOX, St. Louis.

RUSSEL WALKER Jr., former manager of WCBC, Springfield, Ill., and previously on the sales staff of *Electrical Week*, has joined the sales staff of WQXR, New York.

JOHN CONRAD, formerly promotion director of WSAI, Cincinnati, and on the promotion and special feature staff of WLW, recently joined WIRE, Indianapolis, as promotion manager.

ANDREW G. HALEY, for six years on the legal staff of the FCC and its predecessor Radio Commission, has resigned effective Aug. 1 to enter private practice in Washington. He will become associated with W. Theodore Pierson, former FCC attorney, who opened his law practice last January.

CHARLES HOTCHKISS, of the local sales staff of NBC-Chicago, has returned to his desk following a recent injury at a baseball game when a finger of his left hand was broken.

GLEN TICER, salesman of KGO-KPO, San Francisco, recently broke a bone in his foot while running for a train.

BRIAN ELLIOTT, of the sales staff of KLZ, Denver, is the father of a boy born recently.

G. RICHARD SHAFTO, president and manager of WIS, Columbia, S. C., is expected to return Aug. 6 from a month-long trip over the United States and Canada.

EARL H. POTTER, new to radio, has joined the sales staff of KMMJ, Grand Island, Neb.

W. T. HIX, of Spartanburg, S. C., will become manager of the new local station at Moultrie, Ga., authorized for construction last month by the FCC [BROADCASTING, July 15].

PHILIP L. BARBOUR, head of foreign press and foreign station relations of NBC International Division, discussed "The Use of Radio in the Promotion of Inter-American Literary Exchange" July 20 before the Institute of Latin-American studies of Michigan U.

TOM SAMMONS Jr., new to radio, has joined the sales staff of KRGV, Weslaco, Tex.

RAY C. JENKINS, general sales manager of KSTP, St. Paul, has been named radio chairman for the state American Legion convention, to be held Aug. 5-9.

FIN HOLLINGER, commercial director of CJLS, Yarmouth, N. S., recently married Elizabeth Dickson, of Toronto.

CLETE ROBERTS has been appointed general manager of 20th Century International Radio Newsreel, Hollywood special events transcription production firm. In addition he has been made news editor of KMTR, that city, which owns and operates the transcription concern. He also continues as Hollywood correspondent of Transradio News Service.

GILLESPIE MURRAY, of the sales staff of WBT, Charlotte, N. C., resigned recently to join WRAL, Raleigh, as sales manager.

ARTHUR SIMON, manager of WPEN, Philadelphia, is recuperating after a recent operation.

INGHAM ROBERTS, formerly of KRGV, Weslaco, Tex., has joined the local sales staff of KTSA, San Antonio.

WKZO Names Matthews

APPOINTMENT of Ted Matthews, former manager of WNAX, Yankton, S. D., as national sales manager of WKZO, Kalamazoo, was announced July 24 by John E. Fetzer, president and general manager. John W. O'Harrow, former vice-president of the Bon Ami Co., in charge of sales and before that with Butler Bros. Wholesale House, Chicago, has been made local sales manager. Mr. Matthews will spend considerable time on the road, particularly in Chicago in connection with spot business development.

W. Grady Kinsolving

W. GRADY KINSOLVING, publisher of the *Corpus Christi* (Tex.) *Caller* and *Times* and vice-president of Gulf Coast Broadcasting Co., operating KRIS in that city, died July 18 in Temple, Tex. Mr. Kinsolving was 40% stockholder in the licensee corporation, of which M. Tilford Jones is president and 50% stockholder. He is survived by his wife and a daughter.

Horace F. Capps

HORACE F. CAPPS, 28, program director of WBOW, Terre Haute, Ind., died July 14 from streptococci infection. Well-known in Midwest musical and entertainment circles, Mr. Capps formerly had been with WLW, Cincinnati, and other stations in that section. He is survived by his wife, a son, his mother, five brothers and four sisters.

DUWAYNE CARNES, 26, bass singer on the *Alka-Seltzer National Barn Dance* on NBC, died in Chicago July 19 of pneumonia. He is survived by his wife, Kathleen Bretzlaff, an NBC singer.

BEHIND the MIKE

RAY WINTERS, for five years announcer and producer of WOR, Newark, on July 29 resigned to free-lance in the radio and newsreel fields. Mr. Winters, previously staff announcer of WEAF, WJZ and WMCA, New York, will continue the commercials for the five weekly programs of Bell & Co. on WOR, and will continue as staff commentator for Paramount Newsreels. On July 24, Mr. Winters became assistant producer for the two transcribed programs, *Meet Miss Julia* and *The Career of Alice Blair*, handled by McCann-Erickson, New York, for Stanco Products and Daggett & Ramsdell, respectively.

JOHN CARLILE, who recently resigned as head of the CBS production department after eight years in the position, on July 24 left New York on a short lecture tour in connection with his recently published book, "The Production and Direction of Radio Programs". Upon his return, Mr. Carlile stated that he planned to create and direct programs rather than devote himself to any network or station operations.

RALPH BURGIN, announcer of WPTF, Raleigh, N. C., married Jean Collins recently.

HELEN CLYMER, of the CBS pass division, recently won first prize for dancing the Viennese Waltz at the Rainbow Grill, New York.

MAX ROBINSON, announcer of WHO, Des Moines, is to marry Marjorie Lewis, of Petoskey, Mich., Aug. 4.

JACK KERRIGAN, announcer, Cliff Melloh and John Beeston, engineers of WHO, Des Moines, all became fathers within a single week recently.

PHILIP K. PALMER, formerly with U.P. and WEBC, Duluth, and WMAS, Springfield, Mass., has joined the announcing staff of WIS, Columbia, S. C.

MEL TRAXEL, NBC Hollywood photographer, is the father of a boy born July 16.

JOHN NORTHGRAVE has joined the announcing staff of CKTB, St. Catharines, Ont.

YVONNE COPELAND, 16-year-old daughter of Jack Copeland, news editor of the Arizona Network, recently made her debut as a radio entertainer. She has a twice-weekly quarter-hour program on KOY, Phoenix, and is billed as "Arizona's Own Rhythm Girl."

BOB ANDERSON, newscaster of KPO-KGO, San Francisco, was married last month to Margaret Hanley, CBS sales department secretary.

HENRY DUPRE, of the announcing staff of WWL, New Orleans, recently was awarded a round-trip flight to Memphis to inspect the factory of American Snuff Co., which recently placed a twice-weekly feature on WWL for 52 weeks through Simon & Gwynne, Memphis.

HOMER CUNNINGHAM, formerly program director of KITE, Kansas City, and Hoyt Wertz, also formerly with KITE and WREN, Lawrence, Kan., have joined the announcing staff of WIBW, Topeka, Kan.

LEWIS H. LEE, former advertising manager of the American Cigarette & Cigar Co., New York, has been appointed manager of operations of Tested Radio Features, New York. Mr. Lee succeeds Philip Fuhrmann, resigned.

JACK NELL, announcer of WEEI, Boston, was pictured in various newsreel shots recently, showing him broadcasting from the scene of the *Squalus* submarine disaster.

Felix Adams to KMBC

FELIX ADAMS, producer of *Renfro Valley Barn Dance* and other programs of WLW, Cincinnati, on July 31 was to join KMBC, Kansas City, as program director, according to a recent announcement by Arthur B. Church, KMBC president. As assistant to Owen Vinson, WLW program director, Adams' experience includes supervision and production of hillbilly programs as well as symphony orchestra broadcasts of the Cincinnati Summer Opera Co.

ROLF KALTENBORN of the CBS production department and son of H. V. Kaltenborn, CBS commentator, on Sept. 30 will marry Ruth Brine of New York City.

PAUL PHILLIPS, former continuity director of KMOX, CBS affiliate in St. Louis, where he originated such programs as *All Hands on Deck* and *St. Louis Blues*, on July 17 was transferred to CBS headquarters in New York as a writer in the program department. Lawrence Neville, formerly assistant continuity director of KMOX, has taken over Mr. Phillips' position.

HARRY McTIGUE, formerly of WHAS, Rochester, and before that at WIRE, Indianapolis, has joined WJSV, Washington, to team with Walter Johnson in announcing baseball.

TED MacMURRAY, director of *Vic & Sade* series on NBC-Chicago, has returned to the studios following a recent auto smashup in which his wife and two small sons were badly bruised.

BOB ELSON, sportscaster of WGN, Chicago, has returned to the mike following an attack of summer flu.

GEORGE FISHER, Hollywood commentator, will broadcast his Don Lee-Mutual network program, *Hollywood Whispers*, from WOR, Newark, on Aug. 2 and 5.

Meet the LADIES

MRS. JESSIE JACOBSEN

THE HAND that has guided the fortunes of KFBB, Great Falls, Mont., for the last 11 years is a feminine hand. Since 1928, Mrs. Jacobsen has been general manager of the progressive Montana station and ranks as one of the first woman radio executives. The path carrying Mrs. Jacobsen to a place among the leaders of Montana radio included several years as a school teacher. Not only has the KFBB manager kept the affairs of her station well in hand, but she is happily married and the mother of a charming grown daughter and a son in high school.

ARTHUR W. STOWE, CBS production manager in San Francisco, has written a series of adaptations for radio of plays that were high in public esteem during the days of gas footlights. He has syndicated these features and they are now running on 18 stations.

JOHN RIBBE, producer at NBC, San Francisco, and an amateur astronomer, has just completed a mirror for a new telescope, which took him 200 hours of labor in his home laboratory.

BILL WOODSON, KOY, Phoenix, announcer, has resigned to go on the stage.

DAN DONALDSON, for the last two years on the announcing staff of KMOX, St. Louis, has gone to Chicago to announce a new serial, *Second Fiddle*, on a special NBC-Blue hookup beginning in August.

WATSON HUMPHRY, formerly in charge of radio production for the Leon Livingston Adv. Agency, San Francisco, recently joined the KYA production staff. He is in charge of commercial production.

DICK MILLS, Bardavon Theatre crooner, has joined the announcing staff of WGNY, Newburgh, N. Y. Bill Snow, WGNY announcer, was married in July.

ROD WHALEN, formerly with KWJJ, Portland, Ore., has been named production manager of KWLK, Longview, Wash. He succeeds Robert Ferris, resigned.

ALLEN BERG, formerly of KGFJ, Los Angeles, has joined KIEV, Glendale, Cal., as relief announcer.

ROBERT FORWARD, announcer of KYA, San Francisco, was stricken in July with a streptococci infection.

TONI REEDER, free lance Hollywood press agent, has joined KFVD, Los Angeles, as publicity director and office manager. She succeeds Anne Harrison, resigned.

LESTER SCOTT recently joined the announcing staff of KNOW, Austin, Texas.

L. E. (Pat) PATRICK, announcer-producer of KIEV, Glendale, Cal., and Marian Boyce, Hollywood film actress were married at Pasadena, Cal., July 20.

JAMES O'NEIL, San Francisco newscaster and commentator and Freda Craig, receptionist at KYA, San Francisco, were married July 15.

JEAN HADLEY, formerly of WEBC, Duluth, has joined WDGY, Minneapolis, as secretary to Wallace Stone, WDGY commercial manager.

WADE JONES of the CBS special events department, was operated on for appendicitis July 18 at the New York Hospital.

CHARLES ARLINGTON, formerly of WBT, Charlotte, N. C., has joined WWJ, Detroit, as newscaster.

JOE THOMPSON, NBC Hollywood staff producer, has returned from Jamaica where he spent two months writing a book, Van Fleming, who handled Thompson's assignments, will be given other duties.

BYRUM SAAM, sportscaster of WIP, Philadelphia, is to marry Anne Mae Fitzpatrick, of the WIP program department, Sept. 9.

D. C. McARTHUR, former newspaperman and publicist, has been appointed press and information representative in Ontario for Canadian Broadcasting Corp., Fred Wooding, former assistant publicity director of CBC, has opened offices at Ottawa as public relations counsel.

JAMES MATTHEWS, KPO-KGO announcer, San Francisco, and Miss Gertrude Orem, were married in July.

JOHN PEEL, former newspaperman and news commentator in Cincinnati, has joined WIBG, Glenside, Pa., as commentator.

BIG WINNER in the Ford Exposition photographic contest for May at the New York World's Fair was James Harvey Hebb, conductor of the weekly *Camera Club* on KYW, Philadelphia, examining his shadowbox and telling camera fans how it feels to win first prize, a new Ford V-8.

ALAN THOMPSON, announcer, formerly of KROY, Sacramento, Cal., has been added to the announcing staff of KNX, Hollywood.

EARL KURTZ, formerly manager of the WLS, Chicago, artists bureau, has joined Republic Productions, Hollywood film studio, as radio talent scout.

GUS CARRIER, formerly of CKBI, Prince Albert, Sask., and Doug Craig, of Vancouver, have joined the announcing and news staff of CFQC, Saskatoon, Sask.

ROLLAND REICHERT, of the communications department of NBC-Chicago, is the father of a baby girl born July 20.

BOB LEWIS, formerly of KSOO, Sioux Falls, S. D., and more recently of KYSM, Mankato, Minn., has joined the announcing staff of WDGY, Minneapolis.

TED NABORS, chief announcer of KTRH, Houston, Tex., is the father of a boy born recently.

KEN CARPENTER, NBC Hollywood announcer on the *Kraft Music Hall*, sponsored by Kraft-Phenix Cheese Corp., is recuperating from an appendicitis operation.

ROCH ULMER, formerly of KVOO, Tulsa, has returned to the staff of KSTP, St. Paul, as special events announcer.

LOIS DELANO has joined the continuity staff of KIRO, Seattle. She formerly was in charge of advertising and publicity for the Metropolitan Building Co.

PAUL CRUGER is writing scripts of the transcribed quarter-hour serials, *Phantom Indian* and *Small Town*, being produced and cut under direction of Margaret Kelly by Max Reinhardt Radio Productions, Hollywood.

PAUL MILLEN, of the guide staff of NBC-Chicago, was a featured soloist July 23 on the *Morris B. Sachs Amateur Hour* on WENR, that city.

DEEMS TAYLOR, CBS musical advisor, is in Hollywood as advisor for the concert feature film being produced by Walt Disney Studios.

FRANK PAPP, formerly in agency radio production, New York, has joined the production staff of NBC-Chicago.

CORWIN RIDDELL, news editor of WOAI, San Antonio, is the father of a girl born July 13.

CHARLES BARRINGTON, formerly of WLAW, Lawrence, Mass., has joined KOB, Albuquerque, N. M., as announcer and continuity writer.

Present Staff of KHBG Gets Outstanding Stock

IN A DEAL whereby each of the present four shareholders will sell his stock to each of four other persons, KHGB, Okmulgee, Okla., 100-watt daytime station on 1210 kc. which went into operation in the fall of 1937, has been sold largely to its present management subject to FCC approval.

Mrs. Paschel Buford, sales manager of the station and wife of the manager, will buy 41 shares or 41% from Harry B. Greaves, Okmulgee oil man, and Mrs. S. P. Ross will buy 16% from T. B. Lanford, who is part owner of KRMD, Shreveport; KRRV, Sherman, Tex., and KPLC, Lake Charles, La.

Sam W. Ross, vice-president of the Premier Oil Co. and director of the Kilgore National Bank, will buy the 26% interest of R. M. Dean, who is associated with Mr. Lanford in the operation of the three stations named. Paschal Buford, KLBG manager, will buy the 10% interest of John B. Caruthers, Okmulgee attorney. Each purchaser paid $100 per share for the stock.

At Bohemian Grove

AMONG guests of Don Gilman, NBC Pacific Coast vice-president, and Earle C. Anthony, operator of KFI-KECA, Los Angeles, at the annual Bohemian Club Encampment the week of July 23 were Sidney Dixon and Walter Bunker, NBC executives; Harrison Holliway, KFI-KECA manager; Edgar Bergen, Lawrence Tibbett, John Charles Thomas, Mario Chamlee, Carlton Morse, J. Anthony Smythe, Mike Raffetto and Barton Yarborough. The latter three are of the cast of *One Man's Family*, written by Morse, and Raffetto wrote the "Low Jinx" show which featured the 1939 Encampment.

Deutsch Convalescing

P. L. DEUTSCH, president of World Broadcasting System, expects to return to his desk soon, after an absence of several weeks due to a bronchial attack. He is convalescing in New York.

GORDON JENKINS, NBC Hollywood staff orchestra director, is the father of a 9¼ pound son born July 22.

TOM MOORE, formerly in the recording files department of WIBG, Glenside, Pa., since his recent graduation from high school has joined the announcing staff of the station.

FRED SAVIERS, of the guest relations staff of KDKA, Pittsburgh, for the last three years, has resigned to join the radio division of the Westinghouse E. & M. Co. in the Baltimore plant.

CLARICE SHORT, secretary to Arthur J. Kemp, Pacific Coast sales manager of CBS, on Aug. 26 will marry Robert Murdoch MacLeod, commercial artist.

JAMES DOWNING, U.P. bureau operator with offices in KTUL, Tulsa, is the father of a girl born recently.

ALAN HALE, sports announcer of WISN, Milwaukee, was honored at a testimonial breakfast July 8 by the Sunday Morning Breakfast Club, a local civic organization. About 300 persons attended.

WAYMOND RAMSEY, formerly of KOMA and KTOK, Oklahoma City, has joined the announcing staff of KARK, Little Rock, Ark.

"ONLY KSFO WAS THERE"... one of a series

...and then KSFO SPOKE FOR THE FARMERS

● Hordes of grasshoppers swept down on rich farm lands. But far more ruinous than the grasshoppers were the exaggerated reports that spread across state and nation. On the basis of these reports... dramatic rather than accurate... real disaster threatened the farmers of a rich Fresno County area... the loss of bank credit.

● KSFO rushed microphones and men to Coalinga, heart of the plague, brought truth and public interest together, restored reason, ended hysteria. And "only KSFO was there!"

● Such KSFO showmanship... teamed with Columbia features and outstanding local production... keeps KSFO at the peak of popularity in Northern Californa.

KSFO 560 KC

PALACE HOTEL
SAN FRANCISCO
560 KILOCYCLES

COLUMBIA BROADCASTING SYSTEM

REPRESENTED NATIONALLY BY FREE & PETERS, INC.

Gold

IS WHERE YOU FIND IT!

and there's plenty in Northern Ontario

...BOTH IN THE PRECIOUS METAL ITSELF AND IN THE PURCHASING ABILITY OF THE PEOPLE

Northern Ontario has the greatest per capita buying power in the Dominion. The mine payroll in Timmins and Kirkland Lake alone amounts to over $24,782,500 yearly. So, to give the utmost coverage at minimum cost in this rich market...

CJKL & CKGB

TIMMINS

KIRKLAND LAKE

on September 1st will increase their power from 100 to 1,000 WATTS

The installation of the new RCA 1G broadcasting equipment and Lingo antenna system makes both these stations the most modern on the continent. . . . .

This increase in power will create a 75 to 100% greater audience than that which these stations now enjoy. Your advertising dollar spent over these stations will now yield you even greater returns. For full information on new rates, coverage, etc., call our representatives or write us direct.

SPECIAL NOTICE

All contracts for these stations received before Oct. 1, 1939, will be honoured for one year at the old basic rates. . . . .

Put your sales on the GOLD Standard ...cover Northern Ontario by RADIO!

CKGB Timmins — CJKL Kirkland Lake — CFCH North Bay

NORTHERN BROADCASTING CO. LIMITED

CBC Basic Commercial Network Stations

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80 Richmond St. W.
EL. 2464

U. S. A.
J. J. Weed & Co.
New York - Chicago
Detroit - San Francisco

MONTREAL
All-Canada Radio Facilities
Dominion Square Bldg.,
LA. 6400

Press Comments on NAB Code . . .

(Continued from page 20)

racy. For an industry that is governed by its fears of regulation and not by its convictions as to what is really right or wrong in a democracy is headed for a fate worse than governmental regulation, namely, loss of confidence by the people as a whole in the fairness of radio as a medium.

St. Louis Star-Times

At first blush, it might seem that this code, adopted by action of approximately one-third of the professional broadcasters, might lead to serious trouble when those of the other two thirds, who either were not present at the convention or are opposed to its provisions, find themselves compelled to conform to rules not of their own making. It is significant, however, that only 26 votes were cast against the code by the delegates at the convention, and the action properly may be considered, therefore, as the will of the majority. The adoption of the code represents an important effort by a new industry to develop a system of self-regulation which will appeal to the people as reasonable and wise and thus forestall regulation and censorship of radio by the government. The public as well as the broadcasting stations will await the outcome of the experiment with interest and with the hope that subsequent revisions will remove any inequities in the present document.

Philadelphia Record

The NAB is to be congratulated for making a thorough-going attempt to do its own housecleaning. The code just adopted should go a long way toward averting clamor for Federal censorship of radio. We're thinking of the ability of pressure groups to buy time on nation-wide hookups, while the group under attack may not have the money to hire more than a dozen soap boxes. It doesn't do much good to talk about freedom of speech on the air if you haven't the money to talk back. A large employer, for instance, can hire an orchestra and exploit his anti-labor views between symphonies, reaching a national audience, while the best the union may be able to do is to hire a local station with a phonograph record.

Dorothy Dunbar Bromley in New York Evening Post

I am a stickler myself for civil liberties, and yet I can't blink the fact that radio wave lengths are limited in a way that magazines, newspapers and pamphlets are not limited in their publication. I am inclined to think that such a rule, imposed by the industry itself and not by the Government, will make for social health and well-being. It seems harsh to say that a commentator may not have the same freedom to editorialize over the air that numbers of us have to editorialize in newspaper columns. Yet, champions of civil liberty will have no serious complaint if the NAB enforces the rule without playing favorites.

Flint (Mich.) Journal

More than merely the members of the NAB will rejoice in the action taken at their annual convention at Atlantic City in which a "code of good taste" was proposed, voted and adopted, representing the membership of 425 member stations. The ideal of the broadcasters, as outlined in the Atlantic City action is that they "have sufficient experience with the social side of the industry to formulate basic standards for the guidance of all". It is a worthy standard and one which it may be hoped will be observed beyond the reproach of any critic.

Minneapolis Star

The radio, in truth, is growing up. It is free in the things where freedom is desirable, and disciplined where discipline is in the interests of morals and good taste.

Gen. Hugh S. Johnson, (Syndicated)

The new code for radio broadcasting treads dangerous ground. Censorship is censorship whether practiced by a jack-in-the-pulpit in a broadcasting studio or a more offensive one in a Federal bureaucracy. Yet the radio chains are faced with a condition and not a theory. From a somewhat close acquaintance with the problem and notwithstanding a bitter suspicion of any kind of supervision of free speech except to punish libel, sedition or lewdness after the event—rather than censorship before it—I believe the code was necessary and that the finished job, with one important exception (ban on sponsored controversial utterance), is the best that could have been done.

Houston Post

In adopting the code, the broadcasters of the United States recognized the power of the communication agency which they control and the responsibilities which are imposed upon them to manage it in the public interest. Considered in its entirety, radio's new code is a significant and important document. It proves that the radio broadcasting industry is fully capable of self-regulation in the public interest, which makes unnecessary more stringent government regulation. Voluntary imposition of a far-reaching code of ethics is another important step in radio's development as a constructive force in American life.

Huntington (W. Va.) Advertiser

The NAB took a constructive step forward for public morals when it adopted a code calling for the protection of children from radio programs which incite terror. Unbiased critics, we believe, will agree that many of the programs that have gone out on the air under the label of "kiddies time on the radio", more especially those dramatizing stories of adventure, have been unfit for the ears of youthful listeners of the impressionable age. The broadcasters are ordering a reform long delayed. Their action is fundamentally sound and surely responsible radio stations will promptly and willingly conform.

Hutchinson (Kan.) Herald

Into this code had gone every prissy, priggish and pussy-footing "verboten" that the FCC has been trying to fasten on broadcasters for the last couple of years. The federal commission has been seeking to censor the radio, and the broadcasters apparently are eager to be emasculated. If the radio may transmit only those programs attuned to the ears of little Willie in the kindergarten and Aunt Mamie at Tombstone, Ariz., radio will cease to have any importance except as a purveyor of swing music and baseball scores. It is time the radio stations began to fight instead of sewing lace on their drawers.

Alton Cook in New York World-Telegram

Radio did not choose to lace itself very tightly in its new program rules . . . In general, you listeners may count on the new code bringing exactly the sort of programs you liked or disliked last year.

Harrow in Daily Worker

Major hope in driving Father Coughlin from the air is the NAB code. Effective Sept. 24, the NAB code—to which more than 400 stations will subscribe—may force Coughlin to choose between straight religious broadcasts (free) or his present paid controversial ones, but Coughlin adversaries must then be given (the opportunity) to buy equal time immediately after Coughlin, in order that they may refute his many slanders.

NEW AD-LIB early morning show, *Anything Goes*, on WCLO, Janesville, Wis., features Earl Sheridan (left) as Kommissar of the program's official club, Great Order of Knights of the Flowing Robe, and Paul Ruhle as Kolonel, who lead all sorts of tomfoolery on the program. Membership in KOTFR goes to anyone proclaiming his preference for the old-fashioned nightgown, and each member, in addition to receiving a duly notarized certificate, gets his picture—garbed in his flannel nightie—on the radio page of the *Janesville Daily Gazette*.

Springfield (Mass.) Union

The new code governing radio broadcasting has been written by the industry and shows conclusively that many of the problem children of the air can best be spanked by their own parents. Restrictions placed on the technique of established air personalities may result in a less colorful presentation of news and may even see the withdrawal of some air columnists. In the long run, however, the clarification of broadcast news will contribute to the health of radio. The insistence on accuracy in the news also will be welcome, for radio has offended time and again in causing needless alarm by broadcasting unverified reports during times of community and regional emergency. The code marks radio's approach to maturity.

Hamilton (O.) Journal-News

If public opinion means anything to owners of broadcasting stations, they will quickly adopt a code of ethics. Perhaps it is beginning to dawn on broadcasters as a whole that their future is not secure as long as some of their number continue to do things that are thoroughly distasteful to the American public. It is either get their own house in order or have someone else do the job for them.

Rev. Walter Stock in letter to editor of Ashland (Ky.) Independent

The issue resolves itself around this one question: Shall soaps and soap powders, toothpaste, beer, dogfoods and what-nots be permitted to buy time on the air to extol their particular merits and superiority over competitive brands, but not the Gospel of Jesus Christ, the greatest source of blessings to the nation? Shall we, dare we, tolerate such unfair discrimination? It is time that emphatic protest be made at once! On this Independence Day let us preserve our independence!

Toronto Daily Star

This curtailment of radio wealth-power by an association of broadcasting stations which is itself representative of wealth is one of the most interesting developments in radio history. It supports the view expressed in these columns that money can buy enough things already without adding to them the influence of radio addresses which give a one-sided view of controversial issues.

Buffalo Times

If the broadcasters will religiously live up to that code—and we have no reason to believe they won't—they will have the heartfelt thanks of American parents. No step they might take, we think, could effect a greater improvement in radio's public relations.

Omaha World-Herald

What the Commission (FCC) apparently fears is the use of the short-wave for the promulgation of anti-democratic and anti-American propaganda. The NAB has undertaken to deal with that problem both on short and long waves in what seems to be a thoroughly sensible and practical manner. They have adopted a resolution no longer to sell time for the broadcast of controversy. Instead they will give the time away and provide that equal time be allotted for the presentation of both sides of the controversy. The only exception is that time will continue to be sold to political candidates. That kind of self-policing is infinitely better than anything the Commission has been able to think up and certainly preferable to even the mildest kind of censorship. The broadcasters seem anxious not only to protect the right of free speech but also to protect it from being abused. That field should be left to them while the commission fulfills its legitimate function of regulation to prevent confusion on the air.

Oklahoma City Times

Basically, this regulation was born of fear of regulation by the government, not by what the operators thought was right. In attempting to protect themselves from the FCC, the radio men have given free speech an unnecessary kick in the pants. Their specious argument for such a self-imposed inhibition will breed a loss of confidence on the part of the listener in the inherent fairness of radio. Radio should cherish the line from Voltaire, seen in so many newspaper offices: "I wholly disapprove of what you say but will defend to the death your right to say it."

David Lawrence (Syndicated)

The code adopted by NAB is a significant example of self-regulation by an industry which seeks to avert governmental regulation. It is significant because there is considerable doubt whether any government regulation of radio would go as far as the broadcasters themselves have gone in an attempt to hold their channels free from objection.

Norman Siegel in Cleveland Press

A radio code as toothless as an old hag will guide the policies of the nation's broadcasters for the coming year. After extracting most of the teeth of the original draft of the self-imposed code, members of the NAB adopted a revised version. While the code looks strong, it is void of the "musts" that would really make it effective. The ideas are good, but the full language of the code nullifies the effect.

Boston Herald

The worth of a code can be determined only by experience. Rules must be general. The application of these rules to specific cases doubtless will disclose difficulties not foreseen but these ought not to prove insoluble.

Springfield (Ill.) State Register

All in all, this code represents a commendable effort to adapt the revenue requirements of broadcasting stations to the best interests of all concerned, and if it is adhered to in the spirit intended, the results should be profitable and enlarge the field of radio's usefulness in the modern scheme.

Watertown (N. Y.) Times

We feel that the NAB has made a wise decision in holding that time for the presentation of controversial issues on the air should be given free, that both sides should have an opportunity to be heard and that, so far as possible, time be allotted fairly.

Gallup (N. M.) Independent

At last a code of ethics is to be considered for national radio broadcasters—something that has long been needed. All power to the broadcasters in putting this code across.

ALL YOU'VE EVER ASKED FOR *in a sound recorder* —YOU'LL FIND *in the* NEW PRESTO MODEL Y

NEW 16" TURNTABLE

Completely new rim drive mechanism. *Uses no idler wheels.* Changes from 78 to 33⅓ rpm. instantaneously.

Shift a lever—cut outside-in or inside-out.

New cutter feed mechanism. *Makes eccentric trip groove at finish of record* . . . makes starting and runout spiral grooves . . . cuts 112 lines per inch. Presto high fidelity cutting head. Range 50 to 6500 cycles.

Cuts record up to 17¼" size.

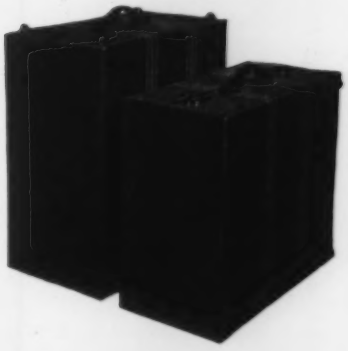
NEW RECORDING AMPLIFIER

Output ten watts—gain 125 db.

Equipped with two-microphone mixer, high and low frequency equalizers, playback volume control, volume indicator, and selector switch for recording and playing records and for public address operation.

LIGHTEST 16" RECORDER ON THE MARKET

Turntable mounts in one case weighing 44 lbs. Amplifier and loudspeaker combine in second case weighing 47 lbs.



PRICE COMPLETE EXCEPT FOR MICROPHONE AND STAND . . **$595.00**

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242 West 55th Street, New York, N.Y.

THE Business OF BROADCASTING

STATION ACCOUNTS

sp—studio programs
t—transcriptions
sa—spot announcements
ta—transcription announcements

KFRC, San Francisco

Pacific Brewing & Malting Co., San Francisco, 7 *ta* weekly, thru Brewer-Weeks Co., San Francisco.
North American Accident Insurance Co., Newark, 5 *sa* weekly, thru Franklin Bruck Adv. Corp., N. Y.
Potter Drug & Chemical Co., Malden, Mass. (Cuticura soap), 6 *ta* weekly thru Atherton & Currier, N. Y.
Santa Fe Bus Lines, San Francisco, 5 *ta* weekly, direct.
Seven-Up Bottling Co., San Francisco, weekly *t*, thru Allied Adv. Agencies, San Francisco.
Feltman & Curme Stores Co., Chicago (shoes) 6 *sp* weekly, thru McJunkin Adv. Co., Chicago.
Bank of America, San Francisco (chain), *sa* series, thru Charles R. Stuart Adv., San Francisco.
Star Outfitting Co., San Francisco (clothing chain), *sa* series, thru Allied Adv. Agencies, San Francisco.
Railway Express Agency, New York, *sa* series, thru Caples Co., N. Y.
Andrews Heater Co., Los Angeles (gas wall-heater), *sa* series, thru Gerth-Knollin Adv., Los Angeles.

WNEW, New York

I. J. Fox, New York (furriers), 66 *sa* weekly, 5 weeks, direct.
United Appliance Service, New York (electrical repairs), 50 *sa* weekly, 13 weeks, direct.
Oakland Chemical Co., New York (Dioxogen face cream), 3 *sp* weekly, 26 weeks, thru Kleppner Co., N. Y.
Larus Bros. & Co., Richmond, Va. (Domino cigarettes), 30 *sa* weekly, 13 weeks, thru Warwick & Legler, N. Y.
Ex-Lax Inc., Baltimore (proprietary), 3 *sa* weekly, 11 weeks, thru Joseph Katz Co., N. Y.
Rieser Co., New York (Venida hair nets, snoods), 3 *sp* weekly, 13 weeks, thru E. T. Howard Co., N. Y.

KFI, Los Angeles

Ex-Lax Mfg. Co., Brooklyn (proprietary), 3 *ta* weekly, thru Joseph Katz Co., Baltimore.
Chas. E. Hires Co., Philadelphia (beverage), 5 *sa* weekly, thru O'Dea, Sheldon & Canaday, N. Y.
Coast Federal Savings & Loan Assn., Los Angeles (investments) weekly *sp*, thru Robt. F. Dennis Adv. Agency, Los Angeles.
Marine Electrolysis Eliminator Corp., Seattle (Restorit starch), 8 *sp*, thru Milne & Co., Seattle.

WNAX, Yankton, S. D.

Carter Products, New York (Arrid), 3 *ta* weekly, thru Street & Finney, N. Y.
Worthington Livestock, Worth, Minn., weekly sa, direct.
Tilden Produce Co., St. Paul, 3 *sa* weekly, thru Harold Chamberlin & Assoc., St. Paul.
Ford Motor Co., Detroit, 3 *sa* weekly, thru McCann-Erickson, Chicago.

KOMA, Oklahoma City

Los Angeles Soap Co., Los Angeles (White King soap), 39 *sa*, thru Raymond R. Morgan Co., Los Angeles.

WLW, Cincinnati

Stephano Bros., Philadelphia (Marvel cigarettes), 3 *sp* weekly, thru Aitkin-Kynett Co., Philadelphia.

WMCA, New York

Sally's Furs Inc., New York, 7 *sp* weekly, direct.

WEEI, Boston

Whittemore Bros., Cambridge (shoe polish), *sa* series, thru Arthur W. Sampson Co., Boston.
Cold Spring Brewing Co., Lawrence, Mass., *sa* series 52 weeks, thru Harry M. Frost Co., Boston.
Boston Evening Transcript, Boston (newspaper), *sa* series, thru Harold Cabot & Co., Boston.
I. J. Fox, Boston (furrier), *sa* series 52 weeks, thru David Malkiel, Boston.
Diamond Match Co., Biddeford, Me. (house builders), *sa* series, thru Ingalls Adv., Boston.
Cape Cod Steamship Co., Boston, *sa* series, thru Alley & Richards, Boston.
Firestone Tire & Rubber Co., Boston, *sa* series, direct.
Metro-Goldwyn-Mayer, New York, *sa* series, thru Donahue & Coe, N. Y.
Air Conditioning Training Corp., Youngstown, 6 *sp* weekly, thru Weill & Wilkins, N. Y.
Derwood Mills, Derwood, Md. (dog food), *sa* series, thru Henry J. Kaufman Adv., Washington.

KNX, Hollywood

J. M. Julian Co., Huntington Park, Cal., (Marco Dog food), 6 *sp* weekly, thru I. F. Wallin & Staff, Los Angeles.
Proctor & Gamble Co., Cincinnati, (Dash), 5 *sp* weekly, thru Pedlar & Ryan, N. Y.
B. T. Babbitt Inc., New York (cleanser), 5 *t* weekly, thru Blackett-Sample-Hummert, N. Y.
Durkee Famous Foods, Berkeley, Cal., (Troco Margarine), 6 *sp* weekly, thru Heintz-Pickering & Co., Los Angeles.
Challenge Cream & Butter Assoc., Los Angeles (dairy products), 3 *ta* weekly, thru Emil Brisacher & Staff, Los Angeles.
Schuckl & Co., San Francisco (Rancho soup), 6 *sp* weekly, thru Lord & Thomas, San Francisco.

WOL, Washington

Standard Oil Co. of N. J., New York, 5 *t* weekly, thru McCann-Erickson, N. Y.
Air Conditioning Training Corp., Youngstown, 5 *t* weekly, thru Weill & Wilkins, N. Y.
LeRoy, New York (piano lessons), daily *sp*, thru Weill & Wilkins, N. Y.

WPTF, Raleigh, N. C.

U. S. Tobacco Co., New York (snuff), 5 *t* weekly, thru Arthur H. Kudner, N. Y.
Stanback Medicine Co., Salisbury, N. C. (proprietary), daily *sa*, thru J. Carson Brantley Adv. Agency, Salisbury.

KGKO, Fort Worth

White Laboratories, New York (proprietary), 19 *ta*, thru Wm. Esty & Co., N. Y.

WHO, Des Moines

Campbell Cereal Co., Chicago (Malt-O-Meal), 115 *sa*, thru H. W. Kastor & Sons, Chicago.
General Mills, Minneapolis, 1320 *t*, thru Blackett-Sample-Hummert, Chicago.
Peter Paul Inc., Naugatuck, Conn. (Mounds), 48 *ta*, thru Platt-Forbes, N. Y.
Fenn Brothers, Sioux Falls, S. D. (ice cream), 128 *sa*, thru BBDO, N. Y.
Stanco Inc., New York, 260 *t*, thru McCann-Erickson, N. Y.
Lever Bros. Co., Cambridge, Mass. (Rinso), 52 *t*, thru Ruthrauff & Ryan, N. Y.
Railway Express Agency, New York, 12 *sa*, thru Caples Co., N. Y.
KRO Co., Springfield, O. (KRO), 36 *sa*, thru Erwin Wasey & Co., N. Y.
Keystone Steel & Wire Co., Peoria, Ill. (fence), 26 *sa*, thru Mace Adv. Agency, Peoria.
Stephano Bros., Philadelphia (Marvel cigarettes), 130 *sa*, thru Aitkin-Kynett, Philadelphia.
Purina Mills, St. Louis, 120 *t*, thru Gardner Adv. Co., St. Louis.
Vick Chemical Co., New York (Vapo-Rub), 52 *sa*, thru Morse International, N. Y.

CKNX, Wingham, Ont.

Thrifty Heat Burner Co., St. Louis, 52 *sa*, thru Shaffer, Brennan, Margulis Adv. Co., St. Louis.
Cockshutt Plow Co., Brantford, Ont., 104 *sa*, direct.
St. Lawrence Starch Co., Port Credit, Ont. (Beehive Corn Syrup), 24 *sp*, thru McConnell, Eastman & Co., Toronto.
Imperial Tobacco Co., Montreal (Old Virginia Tobaccos), 52 *t*, thru Whitehall Broadcasting, Montreal.
Western Fair Assn., London, Ont., 26 *sa*, thru Harold W. Donahue, London.
Canadian Oil Co., London, Ont. (White Rose Gasolene Dealers), 7 *sp*, direct.

WNOX, Knoxville

Stanback Co., Salisbury, N. C. (proprietary), 4 *sa* daily, thru J. Carson Brantley Adv. Agency, Salisbury (corrected listing).

KJBS, San Francisco

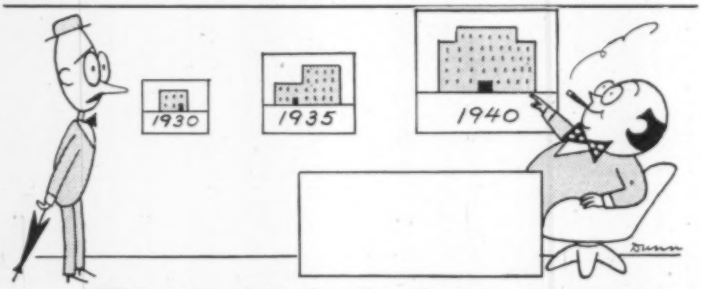
Benjamin Franklin Life Insurance Co., San Francisco (life insurance) weekly *sp*, direct.

KYA, San Francisco

World Fellowship of Service, Fellowship University, San Rafael Cal. (religious) weekly *sp*, direct.

WOR, Newark

Hecker Products Corp., New York (H-O), 2 *sp* weekly, thru Erwin, Wasey & Co., N. Y.



"We've enlarged our plant three times since going on WRC in Washington"

Pd. Adv.

WHN, New York

Ayvad Water Wing Co., Hoboken, N. J. 6 *sa* weekly, direct.
Serial Federal Savings & Loan Assn., New York, daily *t* thru Transcribed Radio Shows, N. Y.
Potter Drug & Chemical Co., Malden, Mass., (Cuticura soap), 6 *sa* weekly, 8 weeks, thru Atherton & Currier, N. Y.
Odowik Sales Corp., New York (deodorant), 5 *sp* weekly, 13 weeks, direct.
White Laboratories, New York (Feenamint), 24 *sa* weekly, 48 weeks, thru Wm. Esty & Co., N. Y.
Steem Electric Co., St. Louis, 5 *sp* weekly, 13 weeks, thru Smith Benny Sales Corp., N. Y.
Beaumont Laboratories, St. Louis (4-way cold tablets), 20 *sa* weekly, 22 weeks, thru H. W. Kastor & Sons, Chicago.
Lin-tox Corp., Portchester, N. Y. (Smack insecticide), 3 *sp* weekly, direct.
Riggio Tobacco Co., New York (Regent cigarettes), 3 *sp* weekly, 13 weeks, thru M. H. Hackett Co., N. Y.
I. J. Fox, New York (furriers), 64 *sa* weekly, 5 weeks, thru Lew Kashuk, N. Y.

KHJ, Los Angeles

St. Germain Press, Chicago (religious), 34 *sp*, thru Ted Dahl Adv. Agency, Los Angeles.
Vita-Var Corp., Newark (paints & varnish), 5 *sa* weekly, direct.
Santa Fe Transportation Co., Los Angeles (rail & bus), 5 *ta* weekly, thru Ferry Hanly Co., Los Angeles.
California Federal Savings & Loan Assn., Los Angeles (investments) 5 *sp* weekly, thru Elwood J. Robinson Adv. Co., Los Angeles.
Lawry's Products Inc., Los Angeles (seasoned salt), weekly *sp*, thru California Adv. Agency, Los Angeles.

WOWO, Fort Wayne, Ind.

Miles Laboratories, Elkhart, Ind. (Alka-Seltzer), weekly *t*, thru Wade Adv. Agency, Chicago.
Gliss'n Products Co., Chicago (cleaner), 13 *sa*, direct.
James Heddons Sons, Dowagiac, Mich. (fish lures), 13 *sa*, thru Rogers & Smith, Chicago.
Feminine Products Co., New York (Arrid), 72 *ta*, thru Small & Seiffer, N. Y.
Crowell Publishing Co., New York (Country Home magazine), 130 *sp*, thru Ralph H. Jones Co., Cincinnati.

WABC, New York

Liggett Drug Co., New York (chain drug stores), 3 *sp* weekly, thru Neff-Rogow, N. Y.
Rudolph Wurlitzer Co., Chicago (musical instruments), 5 *sp* weekly, 52 weeks, thru Schwimmer & Scott, Chicago.

KMPC, Beverly Hills, Cal.

Grover Horn Co., Los Angeles (auto horns), 5 *sa* weekly, thru Radio Adv. Research, Los Angeles.
Zesto Bottling Co., Los Angeles (beverages), 5 *t* weekly, thru Smith & Bull, Los Angeles.

WEAF, New York

J. B. Williams Co., Glastonbury, Conn. (shaving cream), weekly *sp*, thru J. Walter Thompson Co., N. Y.

KNOW, Austin, Tex.

Gulf Oil Corp., Pittsburgh (Gulfspray), 2 *t* weekly, thru Young & Rubicam, N. Y.

KSAN, San Francisco

Mt. Diablo Life Insurance Co., San Francisco, weekly *sp*, direct.

Radio Advertisers

J. W. BEARDSLEY'S SONS, New York (food products), on Sept. 5 will tart twice-weekly participations on the *Make Believe Ballroom* on WNEW, New York, and on Sept. 19 will start sponsoring Phil Cook's *Morning Almanac* program Tuesdays, Thursdays and Saturdays on WABC, New York. Neff-Rogow, New York, handles the account.

KRAFT-PHENIX CHEESE Corp., Chicago (Oke Doke cheese-covered popcorn), is using a series of spot announcements varying from 20-words to one-minute daily on KMOX, KSD and KWK, St. Louis, in addition to those stations listed in BROADCASTING July 15. J. Walter Thompson Co., Chicago, handles the account.

DURKEE FAMOUS FOODS Co., Berkeley, Cal. (Troco Margarine), on Aug. 21 starts for 52 weeks participation six times weekly in the combined *Sunrise Salute* and *Housewives Protective League* programs on KNX, Hollywood. Firm is currently using daily participation programs and spot announcements on four Southern California stations: KMPC, KMTR, KFVD and KFOX. Agency is Heintz, Pickering & Co., Los Angeles.

SEARS-ROEBUCK & Co., Sheboygan, Wis. (retail store), has started a six-weekly quarter-hour show titled *Al & the Sears Melodiers* on WHBL, that city, for 52 weeks.

PURINA GRAIN FOODS Pty. Ltd., Melbourne, Australia (Crispies & Wheaties), thru Paton's, that city, in early July started for 52 weeks sponsoring a thrice-weekly quarter-hour comedy program, *Dill & Daffydill* on 10 Macquarie Network stations. A supplementary newspaper campaign is being used.

ATLANTIS PRODUCTS Co., manufacturer of water coolers, is planning a radio campaign this fall, to be handled by Carlton Adv. Agency, Miami. The Carlton agency also was recently awarded the Jay Cigar Co. account.

KRAFT WALKER CHEESE Co., Sydney (cheese), is sponsoring a weekly half-hour comedy program, *Kraft Dilly Revue*, on 24 Australian stations. Program is produced by Phillip Mygatt, radio director of J. Walter Thompson Co., Sydney, at 2GB before an audience. It is then transcribed and released on 23 additional stations at a later date.

DON G. MITCHELL, formerly head of the marketing division of American Can Co., New York, has been appointed sales manager of Pepsi-Cola Co., Long Island City, N. Y.

County Advertises

SUFFOLK COUNTY, Riverhead, Long Island, on July 21 started an eight-week series on WABC, New York, to promote the county as a summer resort. Jean Hallock, who recently was heard for the same sponsor on WICC, Bridgeport, is featured in historical narration about the county, assisted by orchestral music. The program, heard Fridays, 8:15-8:30 a. m., was placed direct.

GOODYEAR TIRE & RUBBER Co., Akron, will sponsor 15-minutes of the World's Poultry Congress program, July 31 through Aug. 5, on WLS, Chicago. The direct wire series from the Congress in Cleveland, O., will be handled on WLS by Phil Evans and Art Page. The firm will sponsor the last 15-minutes of a daily half-hour program. Placed direct.

PEOPLES SERVICE Drug Stores, Norfolk and Richmond, Va., has renewed for another year *PSDS Presents*, six-weekly hour local talent show, on WTAR, Norfolk, and WRTD, Richmond.

DERWOOD MILLS, Derwood, Md. (dog food) is testing radio with an announcement campaign on WEEI, Boston, WJSV, Washington, and WBT, Charlotte. The firm distributed its products direct-by-mail. Henry J. Kaufman Adv., Washington, is agency.

HAAS, BARUCH & Co., Los Angeles (Iris coffee), in a two weeks southern California test campaign which ended July 31, used daily five minutes transcribed announcements on KNX, Hollywood. A fall campaign is contemplated. Robert Smith Adv. Agency, Los Angeles, has the account.

SAM'S CUT RATE Inc., operating department stores in the Detroit area, recently renewed a 13-week schedule on CKLW, Windsor, representing one of the largest time packages sold on the station. The schedule includes four productions, *Happy Joe's Early Bird Bargain News*, heard Monday through Saturday, 8:05-8:30 a. m.; *Mary Morgan's Musical Shopping Review*, Monday through Friday, 11-11:30 a. m.; *Stop & Go* variety show, Monday through Friday, 6-6:30 p. m., and *Larry Gentile's Dawn Patrol*, daily, 1-2 a. m. Bass-Luckoff Adv., Detroit, is agency.

CANADA DRY GINGER ALE, New York, on July 27 started a 10-day announcement campaign on WHEC, Rochester, where the company has just opened a new bottling plant. Company has also used announcements on WHP, Harrisburg, and WICC, Bridgeport, for Spur, a new summer drink, and may repeat these announcement campaigns in other markets. Agency is J. M. Mathes, New York.

KRO, Co., Springfield, O., is sponsoring a special 13-week campaign of thrice-weekly participations on the *Market News* program on WHO, Des Moines, in the interests of its Kill Rats Only. Campaign is used to help combat the present rat plague in that section, according to Erwin, Wasey & Co., New York, the agency in charge.

P. J. LeROY, New York (piano lessons by mail), on Aug. 15 will add WOR, Newark, to the list of four stations carrying his *Melodic Piano* program twice daily four times weekly. The WOR schedule will be four quarter-hours weekly. Other stations are WLAR, Zanesville, Ohio; WORL, Boston; WNEW, New York; WAAT, Jersey City. Weill & Wilkins, New York, handles the account.

JEWEL TEA Co., Chicago, has started four announcements six days weekly and one on Sunday for 39 weeks on WBBM, that city. McJunkin Adv. Co., Chicago, is agency.

WHOM

Full-time foreign-language programs in New York—Italian, German, Polish and Yiddish.

JOSEPH LANG, Mgr.

A FAIR WORLD IN ITSELF

5,000,000 POTENTIAL AUDIENCE

Iowa's foremost news station? What's that? *KSO, of course!

*And, of course, you can buy KSO in the WNAX-Iowa Network combination at an exceptionally low rate.

KSO, Des Moines, is rapidly winning recognition as Iowa's Foremost News station.

Nine times a day, KSO listeners hear important headlines in the day's news—local, state, national and world. News is gathered through an efficient station staff, U. P. and I. N. S. radio wires, and statewide facilities of the Des Moines Register and Tribune.

What does this complete news service mean to you? It means a large and loyal audience which depends on KSO regularly for news as well as a complete schedule of excellent programming.

KSO gives you a ready-built audience among the more than 1,000,000 people who live in Iowa's largest single marketing area—at a rate you're sure to find attractive.

KSO DES MOINES • NBC Blue-MBS • 1430 K.C.
5000 WATTS L. S. • 1000 WATTS NIGHT
Represented by THE KATZ AGENCY

PROGRAMMED for maximum **AUDIENCE** in a major **MARKET** at minimum **RATE**

HERE'S A REAL BUY

On the First station in the market

A six-day-a-week setup

WORLD NEWS

A quarter hour Monday through Saturday at 5:30 p. m.

After time change 6:45 p. m.

—And it's the first time in "many a moon" that we've had a station feature to offer. The only trouble is that shows like this sell quickly on WSPD—so we urge your immediate consideration.

Any National account which desires a No. 1 selling job in Northwestern Ohio and Southern Michigan will get it from WSPD.

Toledo's NBC Red and Blue Outlet

5000 Watts Day
1000 Watts Night

WSPD

The Commodore Perry Hotel

PLOP!

•

Yes — PLOP your campaign all over Montana by using—

KGIR

BUTTE · MONT.

You get KPFA, Helena, as a bonus station whether "spot" or NBC.

Agencies

LEONARD T. BUSH, vice-president of Compton Advertising Inc., New York, and A. K. Spencer, of J. Walter Thompson Co., New York, have been appointed chairman and vice-chairman, respectively, of the committee on radio broadcasting of the American Assn. of Advertising Agencies.

ADRIAN SAMISH, Young & Rubicam, Hollywood, producer of the CBS *Screen Guild* last season, has returned to the agency's New York office. He has been made a radio supervisor.

WALTER W. HOOPS, who resigned July 15 as vice-president of Buchanan & Co., Chicago, has established his own office as sales counsel at 307 N. Michigan Ave., Chicago, specializing in sales promotion for manufacturers of industrial goods.

FRANK WOODRUFF, for four years J. Walter Thompson Co. Hollywood producer of the CBS *Lux Radio Theatre*, sponsored by Lever Bros., has resigned to join RKO Radio Pictures, as a director. Before joining J. Walter Thompson Co. he directed New York stage plays.

FRED LUDEKENS, member of the San Francisco office of Lord & Thomas, recently was named assistant to Don Francisco, the agency's president, with headquarters in New York. He assumes his new duties Oct. 1.

JOHN W. MILFORD, formerly publicity director of the lamp department of General Electric Co., has resigned to join the public relations division of N. W. Ayer & Son, New York.

ED WILDE, formerly with the Hollywood office of Tom Fizdale, publicity organization, and previously promotion manager of Tobe Fashion Service, New York, has been named general manager of Fizdale's Chicago office.

ADVERTISING executive and radio star as well is Tom Wallace, vice-president of Russell M. Seeds Co., who is "Uncle Walter" in Brown & Williamson's *Uncle Walter's Dog House*, NBC-Red comedy show heard Tuesdays at 10:30 p.m. (EDST). He also directs *Plantation Party*, another Brown & Williamson show on NBC-Blue, heard Fridays at 9 p.m. (EDST). Formerly athletic director of the city schools of Long Beach, Cal., the only radio voicing Uncle Walter had done before his chance audition for the *Dog House* program was as announcer on a Los Angeles station.

CHARLES H. MAYNE Co., Los Angeles agency, will establish Seattle and Portland offices by Aug. 15. W. Logan Jones, for two years account executive in the Los Angeles office, has been elevated to vice-president, in charge of the Pacific Northwest and will be headquartered in Seattle.

ANNE DIRECTOR, time buyer for Pacific Coast offices of J. Walter Thompson Co., San Francisco, was in Los Angeles in latter July recuperating from an operation.

CURTIS S. JONES, recent graduate of Duke University, has joined the Melchor Guzman Adv. Agency, New York, as space and radio time salesman.

TOWNSEND ADV. SERVICE has been formed at 203 College St., Burlington, Vt., by Charles E. Townsend, for five years account executive of J. Sterling Getchell, New York. Among accounts is WCAX, Burlington.

JOHN E. McMILLAN, head of the radio department of Compton Adv., and Gordon Aymar, art director, have been elected vice-presidents of the agency, effective July 24.

AUSTIN KING has resigned as managing editor of *Rim*, Pacific Coast radio publication, to form his own agency. He has established headquarters at 1622 N. Highland Ave., Hollywood, under the firm name of Austin King Agency. Besides writing and producing radio programs, he will engage in general sales promotion campaigns. He has started to produce a quarter-hour transcribed serial, *Clear View Inn*, which is being cut by Aerogram Corp., Hollywood.

HARRY E. ("Red") FOSTER, of the Toronto advertising agency bearing his name, who is a well-known Canadian radio sports commentator for commercial accounts, has been retained by the CBC for a weekly sports review on its national network.

JACK YARMOV has announced the formation of Jack Yarmov & Co., an organization devoted to advertising, public relations and merchandising, at 247 Park Ave., New York, with branch offices in Chicago, Atlantic City, and Hollywood. Anne Law is radio director in the New York office. No accounts or further details of the company have been announced.

TOM CARSON, former time-buyer of Erwin, Wasey & Co., New York, on July 17 joined Pedlar & Ryan, New York, to work with Frank Silvernail in the time buying department.

FRED P. FIELDING, since 1920 with N. W. Ayer & Son, has joined the Adrian Bauer Adv. Agency, Philadelphia, as head of the new business department.

JAMES R. LUNKE & Associates, Chicago agency, has opened a Seattle office in the Joseph Vance Bldg.

REUBEN H. DONNELLY Corp., Los Angeles, erroneously listed as a general advertising agency in a recent issue, handles direct mail only. The firm also conducts the judging of contests and handles mailings for premium campaigns, according to W. H. Le Gore, Pacific Coast manager.

Stanford to London

TONY STANFORD, on the New York and Hollywood production staff of J. Walter Thompson Co. for five years, has been appointed head of the agency's London radio department, and is scheduled to take over in mid-September. He will also produce shows for the agency in Paris and supervise recordings from Radio Luxembourg and Radio Normandie. Stanford produced the first *Lux Radio Theatre* program and later switched over to the *Rudy Vallee* show, handling it for several years. Since coming to Hollywood he inaugurated the NBC *Kellogg Circle*, sponsored by Kellogg Co. and also participated in the writing and production of other sponsored network programs. Rae Smith, vice-president in charge of the J. Walter Thompson Co. London Office, was in Hollywood in mid-July to complete arrangements for Stanford's transfer.

KOMA Appoints F & P

FREE & PETERS has been appointed national representative of KOMA, Oklahoma City, it was announced July 17 by Neal Barrett, general manager. Free & Peters also represents KOMA's sister station KTUL, Tulsa.

FORJOE & Co., station representatives, has appointed John Wohlmuth to its staff to specialize in foreign language business. Mr. Wohlmuth formerly was manager of the third class passenger department of the Hamburg-American Line and North German Lloyd.

Building Permits Soar in Shreveport

1ST. SIX MONTHS 1939 GREATER THAN RECORD BREAKING 1938

Average of nearly 3 new homes a day for month of June

Building operations continue full steam ahead in Shreveport. Building permits for the first six months of 1939 were $3,082,-812 as compared to $2,996,951 for the first half of last year, also a record breaking period.

Truly Shreveport is the trading center for one of the most prosperous areas in America and KTBS is your ideal medium to reach two million able - to - buy prospects.

1,000 WATTS **KTBS** NBC

SHREVEPORT LOUISIANA

Represented by THE BRANHAM CO.

WRNX

5000 WATTS DAYS

Coming events cast their shadows.

No change in programming or policy. Better service to Metropolitan New York including its 6,982,635 foreign citizens.

Now operating 1000 WATTS DAY AND NIGHT WBNX NEW YORK

The Station that Speaks Your Language

Creative Service Begun by Durstine

Wants to Avoid Troubles of Administrative Routine

ROY S. DURSTINE, who resigned as president of BBDO last April, has established a new advertising agency, Roy S. Durstine Inc., with offices at 580 Fifth Ave., New York. Telephone number is Bryant 9-2977. A. T. Gardiner, formerly with *Newsweek* and BBDO, and John Read Burr, formerly with Kenyon & Eckhardt, Blackett-Sample-Hummert and the Blackman Co. (now Compton Adv.), are associated with Mr. Durstine in the new agency.

Mr. Durstine

Questioned as to his plans, Mr. Durstine told BROADCASTING he is interested in securing only a limited number of clients. "The happiest days of my advertising career," he said, "were those spent in creative work, in creating advertising copy and advertising policies for my accounts, and I never again intend to become enmeshed in the details of agency administration."

This thought was also embodied in an announcement advertisement of the new company, which described it as "a compact organization designed to give a superlative type of service to a limited number of clients."

Active in Radio

While Mr. Durstine refused to discuss future plans on the grounds that the agency must first secure some accounts before plans would mean anything, it is generally expected that the new company will be especially active in radio. Originator of the *Atwater Kent Hour*, one of radio's first big name programs, Mr. Durstine organized and for a time directed BBDO's radio department and he has always been intensely interested in this medium, whose course he helped form. Outstanding in his radio pioneering was his early insistence that planning and production of commercial programs should be handled by the advertising agency and not left to the broadcaster.

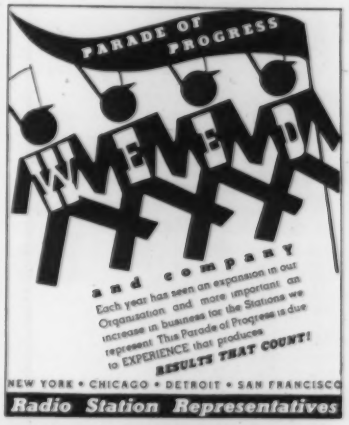
On this subject, the advertisement quoted above continues its description of the agency as "a group which represents the longest successful experience in the radio field, and which realizes that interesting announcements, the mounting costs of talent and a realistic view of coverage figures are the three great questions in radio today."

For the last two months Mr. Durstine has been acting as a consultant to General Motors Overseas, the *New York Times* and NBC. In stating that he will continue his work for these companies, he stressed the fact that it in no way interferes with their present agency relations and that he has no intention of soliciting these accounts for his own agency. In his work for NBC, he said, he has had frequent discussions with executives of Lord & Thomas, agency in charge of the network's advertising, as well as with President Lohr, Executive Vice-President Trammell and other NBC vice-presidents and department heads. As a consultant he is concerned not only with NBC's advertising and promotion, but also with sales, station relations, publicity and general company policies, he stated, adding that the situation was comparable with his other consulting clients.

'Biggest Audience'

BIG BROADCAST is the community sing each Sunday from Toronto's Sunnyside Park on CFRB, Toronto, under sponsorship of Weston's large Canadian baking concern. So far, attendance at the weekly sessions has run between 12,000 and 20,000 persons, all of whom participate in the sing—following the selections on the pages of the "world's largest song book", whose pages measure 12 x 10 feet. The program, broadcast 9-9:30 Sunday evenings, is claimed by CFRB and Richardson-MacDonald Adv. Service, which handles the account, as playing to the biggest regular visible audience—about 16,000 on the average — of any program on the air.

BURNETT & BRENNER, New York research agency, has set up an operating unit called the Grocery Laboratory specializing in grocery product research in the metropolitan New York area. It will record the movement of branded commodities, test premiums, sales promotion and merchandising and determine dealer reactions.


PARADE OF PROGRESS
and company
Each year has seen an expansion in our Organization and more important an increase in business for the Stations we represent. This Parade of Progress is due to EXPERIENCE that produces
RESULTS THAT COUNT!
NEW YORK • CHICAGO • DETROIT • SAN FRANCISCO
Radio Station Representatives

ADD 50%

Anything that we've said about WIBW during the past year, we repeat . . . 50% plus

- ADD 50%* to last year's coverage. WIBW's ultra-modern transmitter, antenna and ground system is the newest and most efficient type in America.
- ADD 50%* to our neighborly, responsive audience. Include more than 1,231,890 radio homes . . . 5,173,938 heavy-buying listeners.
- ADD 50%* to the established sales effectiveness of WIBW's "geared to the market" programs—the *preferred* programs throughout Kansas and almost half of all adjoining states.
- ADD 50%* to your potential inquiries, sales and consumer acceptance from every prosperous county in "America's Granary." Let WIBW do a PLUS selling job for you.

* *Our May 15, 1939 intensity survey showed a radio home increase of 293%, but (as usual) we prefer to be conservative.*

WIBW "The Voice of Kansas"
COLUMBIA'S OUTLET for KANSAS

BEN LUDY, *Manager*
Represented by
CAPPER PUBLICATIONS, INC.
New York—Detroit—Chicago—Kansas City, Mo.—San Francisco

83.4%*
Of Milwaukee Listeners Tune Regularly to Their Only Community Station
WEMP
That Is Why WEMP Gets Amazing Results
* National Advertising Marketing Survey

SORRY, BOYS, ACCESS (KY.) AIN'T ACCESSIBLE!

WAVE cain't help you much in selling the villagers down at Access, Ky. Nor can we do much to spur your sales-hopes *anywhere* in the miles of back-lands that stretch across our State. But WAVE *does* boost big business, at *low cost*, in the Louisville Trading Area—regularly reaches more than a million people who do *most* of Kentucky's *buying*. May our Pitcher Book tell you *all* the story?

An N. B. C. Outlet

National Representatives
FREE & PETERS, INC.

STATION WAVE
INCORPORATED
LOUISVILLE, KY.
1000 WATTS . . . 940 K. C.

AGENCY IS CITED IN FTC COMPLAINT

ISSUING a complaint against an advertising agency for the first time under the Wheeler-Lea amendment to the Federal Trade Commission Act, the FTC has cited Purity Products Co., Sioux City, Ia., for "grossly exaggerated and false" advertising claims and named as joint respondent Landon & Warner Co., Chicago agency handling the account. The action, disclosed July 20, grew out of advertising claims made in printed media for "Wheatol", a drug represented to contain Vitamin E. Landon & Warner Co. is the first agency cited since the FTC announced in February that it would hold agencies responsible for advertising copy, along with the manufacturer or distributor of the questioned products [BROADCASTING, Feb. 15].

PGad B. Morehouse, director of the FTC Radio & Periodical Division, has distributed more than 50 questionnaires to advertising agencies as the preliminary step in an investigation to determine the degree of their responsibility for questionable advertising copy. Stipulations have been prepared for agencies in several instances, and it is understood several of the stipulation cases have progressed to a point where the agency must sign soon or become subject to a formal complaint.

In as many cases as possible, both the agency and the client are asked to sign the stipulation at the same time, although separate stipulations for the agency and the client are being insisted upon. In line with this policy, the Division has tentatively adopted a stipulation form for agencies based on admissions the client is willing to make, since in many cases the agency might not have sufficient scientific knowledge of a particular product on which to base admissions of its own. The FTC's recent action in the Purity-Landon & Warner case indicated that in cases where the effort to secure separate signed stipulations fails, the complaint is addressed jointly.

WHEN General Mills, Minneapolis (Korn Kix), as promotion for its weekly half hour NBC *Grouch Club* program, staged an all-day Grouch convention in the Hollywood (Cal.) Bowl on July 16, H. M. (Mix) Dancer, executive of Blackett-Sample-Hummert, Chicago agency, servicing the account, and Bill Weddell, (right), NBC Chicago account executive, were on hand to participate in the activities. More than 25,000 persons attended the convention.

WHEN the Canadian Broadcasting Corp.'s newest 50,000-watt plant, CBK, Watrous, Sask. [BROADCASTING, July 15] was dedicated July 29, speakers scheduled for the ceremonies were W. L. Brockington, CBC chairman, from London; William S. Paley, CBS president, from New York; and the provincial prime ministers, W. J. Patterson of Saskatchewan, John Bracken of Manitoba and William Aberhart of Alberta. The station, an RCA of Canada installation, is a sister outlet to CBA, Sackville, N. B., opened last April.

GEORGE MILLER, David Stott Bldg., Detroit, announces he is now offering a thrice-weekly serial, *Tom Sawyer*, based on the famous Mark Twain characters.

AGENCY Appointments

FERGUSON-SHERMAN Mfg. Corp., Dearborn, Mich., distributors of the new Ford tractor with the Ferguson system of hydraulically-controlled unit implements, to N. W. Ayer & Son, Philadelphia.

CALORIC GAS STOVE WORKS, Philadelphia (ranges, heaters, furnaces), to Ivey & Ellington, Philadelphia. Promotional plans will be announced later.

LANSING MFG. Co., Los Angeles, makers of sound equipment, to Fred A. Lenfestey Co., that city.

STANDARD VITAMINS Corp., New York (Candicod), and Hygienic Tube and Container Corp., New York, to Al Paul Lefton Co., New York. Radio may be used in late September.

MICHIGAN STATE APPLE Commission, Lansing, Mich., to Brooke, Smith, French & Dorrance, Detroit.

HALGAR Inc., Chicago (shampoo), to Bozell & Jacobs, that city. Radio test in Chicago will start soon.

CARFORD Corp., New York (proprietary), to Philip Ritter Co., N. Y. Radio may be used in late August.

ZONITE PRODUCTS Corp., New York (Forhans's toothpaste), to Erwin, Wasey & Co., New York. Plans for advertising have not been completed.

VENZAMER ROTENONE Corp. (insecticide) to Redfield-Johnstone, N. Y.

BENEFICIAL MANAGEMENT Corp., Los Angeles, operating 41 personal finance companies west of the Mississippi, to Barton A. Stebbins Adv. Agency, Los Angeles. Will use radio along with other media.

NODOZ AWAKENERS, Oakland, Cal., to Tomaschke-Elliott, Oakland.

DEL MONTE CREAMERY, San Francisco, to Sidney Garfinkel Adv. Agency, San Francisco.

COLUMBIAN BANK NOTE Co., Chicago, to Coe, Guy & Walter, Chicago.

LINK CHEMICAL Co., Emporia, Kan. (GIMP athlete's foot remedy), to Watts, Payne Adv., Tulsa.

ZONITE PRODUCTS Corp., New York (Forhan's toothpaste), to Erwin, Wasey & Co., N. Y.

PRESS PHOTO GUILD, Chicago (photo service), to Malcolm-Howard Adv. Agency, Chicago.

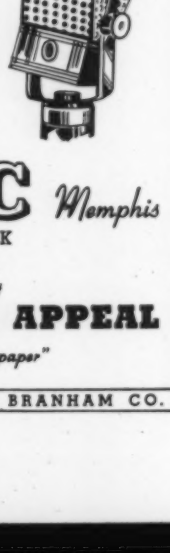
MAJESTIC RADIO & TELEVISION Corp., Chicago, to Ruthrauff & Ryan, Chicago.

TAPPAN STOVE Co., Mansfield, O. (gas ranges), and Ferro-Enamel Corp., Cleveland (porcelain and enamel), to McCann-Erickson, Cleveland.

J. A. FOLGER & Co., Kansas City (coffee & foods), to Lord & Thomas, New York. Raymond R. Morgan Co., Hollywood, continues to represent J. A. Folger & Co., San Francisco. In Tulsa the Folger account is placed on KTUL and not KVOO as incorrectly announced.

COMPLETE COVERAGE OF THE RICH MEMPHIS MARKET

● In doing a thorough job of selling, it's the COVERAGE of the market that counts. WMC, the dominant radio station of the Memphis market, leads every other station in this intensive trade area in national, local, and network business. Let WMC send your sales message into 399,540 radio homes.



5,000 Watts Day
1,000 Watts Night
WMC Memphis
NBC RED NETWORK

Owned and Operated by
THE COMMERCIAL APPEAL
"The South's Greatest Newspaper"

NATIONAL REPRESENTATIVE: THE BRANHAM CO.

"And when you're making a drive for sales, don't forget CKAC . . . Canada's Busiest Station!"

CKAC, Montreal "Canada's Busiest Station"—affiliated with CBS

TRANSCRIPTIONS

NBC Thesaurus as of July 1 included 2,912 selections, according to an announcement by NBC. Total includes 1,150 popular musical selections, subdivided into 848 dance numbers, 213 vocal numbers and 89 instrumental solos; 1,142 concert musical selections, made up of 386 instrumental groups, 108 instrumental solos and 648 vocal numbers; 143 symphonic selections, 376 hillbilly pieces and 101 scene-setting and sound effect selections. An accompanying letter states that as of July 15 the Thesaurus total had risen to 2,951.

KASPER-GORDON Inc., Boston, reports the sale of *The Adventures of Uncle Jimmy*, 156 quarter-hour series, to New England Baking Co. for daily sponsorship on WPRO, Providence. Other sponsors include 2-in-1 Polish, Shinola, Dr. Pepper and Castilian soap. Its *Wade Lane's Home Folks* has been purchased by Commonwealth Baking Co. for placement on WTAG, Worcester; also by White House Coffee for WXYZ, Detroit, and WJTN, Jamestown, N. Y.

AMERICAN UNION for Concerted Peace Efforts, which on July 19 broadcast a special program *The War Makers* on WMCA, New York, is offering transcriptions of the quarter-hour program to approximately 250 stations throughout the country. Featured on the transcriptions is a dramatization by actors supplied by the Theatre Arts Committee, in addition to a short address by Clark Meichelberger, chairman of the League of Nations Association.

MILLERTAPE reproducing apparatus has been installed at WTIC, Hartford, for transmission of programs recorded on film by the Miller process. This is the second 50 kw. station so equipped within the last month, the other being WOR, Newark, which is currently broadcasting *Kay Kyser's Kollege of Musical Knowledge*, sponsored by American Tobacco Co. (Lucky Strikes), Thursday evenings from a Millertape recording of the program's Wednesday evening broadcast on NBC.

JEAN V. GROMBACH Inc., New York, about Aug. 4 will start recording 65 quarter-hour programs, which will be based on *Adventure Magazine's* two features "Adventure's Campfire" and "Ask Adventure." Transcriptions will be available for sponsorship to regional and local bread accounts to be heard thrice weekly on a list of 32 stations, which are not available as yet.

FIELD BROS., Hollywood production unit, under direction of J. Donald Wilson, has started to produce a new transcribed series, *A Woman's World*. It will be in 52 episodes of five quarter hour programs each and stellar film talent will be featured throughout. The series is being cut by Radio Recorders Inc., Hollywood, with Gale Gordon as narrator.

HOLLYWOOD RECORDERS, Hollywood transcription concern, under direction of Don Brodie, is cutting a series on old-time fighters, and another on oddities in the film world, both written by Jim Tully. There will be 26 quarter-hour episodes to each series.

RADIO PRODUCTIONS, Denver, is recording a new daily series of civic interview programs, *Fort Collins, the City Beautiful*, which started on KFKA, Greeley, Colo., July 27.

M. J. MARA, for two years sales manager of C. P. MacGregor Co., Hollywood transcription concern, has joined Recordings Inc., that city, in a similar capacity.

HARRY MARTIN ENTERPRISES, Chicago program firm, has moved to Suite 1915, 360 N. Michigan; phone Randolph 3842.

TRANSCRIPTIONS, 41 of them, of historically and educationally significant broadcasts were presented last month to the Minnesota State Historical Society by WCCO, Minneapolis. Max Carl (left), educational director, presents them to Willoughby M. Babcock (left), curator, and Theodore Blegen, president. Among the discs were Kaltenborn's coverage of the Czech crisis, Minnesota winter carnival broadcasts, addresses by State Congressmen, WCCO reports on the Anoka tornado and others.

RADIO MAKES FANS
And Fights When Baseball Games Are on Air

NEW PROOF, if any more be needed, that baseball broadcasts turn placid housewives into rabid fans is offered by WOR, Newark. On June 30, says the station, female attendance records at Ebbetts Field were broken when 5,000 women took advantage of the Ladies' Day bargain rates to see the Dodgers play. The following Ladies' Day, July 7, this record fell when some 25,000 women took Red Barber's broadcast advice and turned out, forcing the club to shut its gates at 3 p. m. after 15,012 women had entered the stands.

WOR also offers another fact anent baseball broadcasting: On July 8, when a crowd of 75,000 bathers were swimming and sunning at Brighton Beach, it being Saturday afternoon, the management began sending WOR's broadcast of the Dodgers-Giants game over its public address system, arousing the crowd's partisan spirit and resulting in so many fights that the management, in dismay, cut off the game and substituted soothing music to calm down the baseball-conscious bathers.

Set Industry Rules

NEW trade practice rules for the radio receiving set manufacturing industry, promulgated upon application of the industry through Radio Manufacturers Assn. and after public hearings held in Washington, were announced by the Federal Trade Commission July 22. The rules provide for elimination and prevention of false advertising, deceptive selling methods, and other unfair trade practices, and are designed to protect the purchasing public and maintain fair competitive conditions in the industry.

BOB GARRED, newscaster of KSFO, San Francisco, was chosen as the subject featured on the cover of the July issue of *Pacific Sportsman*, sports magazine published in San Francisco.

When

tests... they use WOWO

THE WOWO Staff production of "Calling All Poets" was chosen by the Miles Laboratories, Inc., of Elkhart, Indiana, in preference to transcriptions of the same show produced by nationally known studios. WOWO program scheduled 8:30 to 9:00 P.M., C.D.S.T. Fridays for 13 weeks.

The WOWO Market is a favorite "test spot" for many national advertisers... May we show you why?... Call, wire or write.

10,000 Watts 1160 Kilocycles NBC Basic Blue Network

WOWO
FORT WAYNE • INDIANA

WESTINGHOUSE RADIO STATIONS, INC.
FREE & PETERS, Inc.
National Representatives

INDIANA'S MOST POWERFUL RADIO STATION

CFCF
MONTREAL
first
IN
CANADA'S
RICHEST
MARKET

The majority of people in Greater Montreal—English *and* French—tune regularly to CFCF for their radio entertainment. It has become a 20 year habit. Your broadcast advertising will reach a bilingual market of over 1,000,000 people. CFCF can build sales for you.

CFCF and Short Wave CFCX
owned and operated by
CANADIAN
MARCONI
COMPANY
Representatives:
CANADA
All Canada Radio Facilities
U. S. A.
Weed & Company
NBC Affiliate

Purely PROGRAMS

IN RESPONSE to many requests from listeners, Fulton Lewis jr., MBS Washington commentator, will inaugurate a new feature on his nightly broadcasts this fall by interviewing 12 leading 1940 presidential possibilities, both Republican and Democrat, and then discussing pro and con reports on their records, experience and political views. Listeners will be invited to send in questions for Mr. Lewis to ask the possible candidates.

* * *

Saga of the Rails

DRAMATIC development of the railroad industry from 1828 to the modern day is the subject of the new *Romance of the Railroads* program broadcast for one hour on Fridays on NBC-Blue. Historic events are dramatized by a cast of 40 actors, railroad ballads are sung by the Keystone Quartet, and talks are presented on the nation's dependence on railroads by Grover Whalen, Leland Cutler and Rufus Dawes, presidents, respectively, of the New York World's Fair, the San Francisco Exposition, and the 1933-34 Century of Progress in Chicago.

* * *

The Living Honored

SALUTES to prominent persons of the Rio Grande Valley are given during a Wednesday evening quarter-hour program titled *Flowers to the Living* on KGRV, Weslaco, Tex. Sponsored by the Rio Valley Sinclair Bulk Dealers, the 26-week series is designed to acquaint KGRV listeners with outstanding social and civic acts performed by citizens of the valley. Brad Smith handles the interviews on the show and each guest is awarded a silver plaque in recognition of his work. The 26 guests are being selected by a citizens' committee of the valley.

Offset to Serials

BREATHER for drama-saturated housewives is *For Women Only*, new weekday morning quarter-hour sponsored by a local laundry firm on KOMA, Oklahoma City. Broadcast Monday through Thursday, 8:45-9 a. m., the all-music program is spotted on the KOMA morning schedule to break up the line of network serials. Merchandising hook consists of picking names of 10 housewives from the city directory each day and awarding them a pair of theatre tickets if they hear their names broadcast.

* * *

Down on the Farm

THE AMERICAN farmer, with his family, can hear his activities, problems, and home life and opinions reported on *Columbia's Country Journal*, new weekly series conducted by Charley Stookey which started July 30 on a nationwide CBS network, Sundays, 5:5:30 p. m.

* * *

WHEN Alice Stevens, a night club hostess (left) was elected mayor of the new boom town of Disney, Okla., last month, WMBH, Joplin, Mo. dispatched its woman news commentator, Mary Curtis Chenoweth, to interview her. Called the "dictator" of the town, Miss Stevens made national headlines when she remarked, "You can't be arrested for disturbing the peace in Disney 'cause there ain't gonna be no peace."

"Guest of Honor"

ALBERT KUHLMAN, furrier, attracts attention to his *Guest of Honor* program on KRNT, Des Moines, by picking a local woman's name at random from the telephone book. She is told during the broadcast (three mornings weekly) that she is "guest of honor" for the day, will receive two tickets to a local theater and may place her fur coat without charge in the Kuhlman vaults. Program itself is composed of recorded music, time signals, weather reports and such.

* * *

Brickley's Culture

FACTS on current sports events and comments on health both in sports and in business will be the subject of *Keeping Fit*, new twice-weekly program starting on WCNW, Brooklyn, July 18. Charlie Brickley, former Harvard All-American football player noted for his drop-kicking ability, will conduct the program with the assistance of Maurice C. Dreicer, commentator, and Wellington Wright, public relations director.

* * *

Louisiana Drama

STRAW HAT drama, like that seen in roadside theaters, is presented on the new *Summer Theater of the Air* series of WWL, New Orleans. The station has lent all its facilities to the project, which is participated in by more than 150 volunteers. The series includes broadcasts of rehearsals as well as the finished product.

* * *

Men of Muscle

BRINGING as studio guests personages in the world of physical culture, *Strength & Health Forum* has been started weekly on WELI, New Haven, by Announcer Bob Fleming, weight-lifting champion of the South.

* * *

Talkers on Trial

STAFF announcers of KFRU, Columbia, Mo., gather twice each week to participate on the new *School for Spielers* program, where they are quizzed on pronounciation, world affairs and general knowledge.

WFBL . . Syracuse

Factory Payrolls are Up . . .

Consumer Purchasing Power is HIGHER in SYRACUSE

Twenty-two factory payrolls—representing diversified lines of production—showed a consistent increase every month for the first six months of this year over the same period of last year. Dollar sales in Syracuse Department Stores were 14% higher than in June 1938. New car registrations in Onondaga County for this past month exceeded those of June 1938 by 54.9%, rolling up a gain of 38% over the first half year of 1938.

Business is *better* in Syracuse

This means that there's more money in Syracuse—more money to spend for products advertised over WFBL, the favorite station of Syracuse and Central New York listeners. Get *your share* of this rich, prosperous market!

For full details, rates and time available write or wire WFBL, Syracuse, New York, or Free & Peters, Inc., national representatives.

ONONDAGA RADIO BROADCASTING CORP.
Syracuse, New York
MEMBER BASIC NETWORK COLUMBIA BROADCASTING SYSTEM
National Representatives, Free & Peters, Inc.
NEW YORK CHICAGO DETROIT SAN FRANCISCO LOS ANGELES

CFCF
dominates a
BI-LINGUAL
AUDIENCE
of over
1,000,000

A Sponsor, Too

THE LOCAL office of the Employment Service at Longview, Wash., recently sold a furniture account for station KWLK. The Employment office had a *Job Clinic* program idea and proceeded to get its own sponsor, with the station management's sanction.

For Mortuaries

UNIQUE slant on a program designed for sale to undertakers and mortuaries is a quarter-hour series aired at noontime on Sundays on WHBL, Sheboygan, Wis. Featured is Richard Cuniff, 12-year-old son of Ed Cuniff, WHBL manager, singing hymns. Pictures of Dick are given to all listeners writing in. Signed for 52 weeks by the local Ramm Funeral Home the program is proving very successful according to WHBL.

* * *

Cones for Stumpers

RIDDLES were ruled out through necessity recently by the three staff members of WHEC, Rochester, who conduct the weekly *Ask Us a Question* program at Municipal Beach, with ice cream cones going to children who ask questions which stump the board. Children came prepared with nothing but riddles, and a "mile long" line formed at the soda fountain.

* * *

At Life's Beginning

WBBM, Chicago, featured members of the local "Men over 40 Club" July 22 during its Saturday morning *Meet Chicago* series. Ken Ellington, roving reporter of WBBM, interviewed Merrill Humphrey, president of the club which is composed of executives who held responsible jobs in the upper money brackets before the depression.

* * *

Daily Pout

NO MUSIC, no cheery greetings and not a word about the sunshine is the guarantee of Bob Carter's early morning *Rise & Whine* program heard daily on WMCA, New York. Carter, under the name of Jim Grouch for this program, feels that listeners may be tired of the usual cheerful morning broadcasts and would like a change.

* * *

Band Styles

COMPARING the styles of various orchestras and vocalists by presenting the same tunes by the different artists, the new daily *Recorded Comparisons* program of WIBG, Glenside, Pa., features popular recordings, selected by Announcer Rupe Werling.

* * *

Big Moments

THE "most most moving minute in their careers" is the theme of an interview series recently introduced on Switzerland's Radio Romande. Swiss champions in various lines of sport are brought before the microphone to tell their stories.

* * *

Baseball Moments

INCIDENTS in the lives of baseball heroes are dramatized on the new quarter-hour sustaining series, *Diamond Dust*, of WWJ, Detroit. Paul Williams, WWJ sportscaster, writes the scripts and handles the commentaries.

Canada Dry's Story

(Continued from Page 26)

Milton Cross, announcer on the show, is clocked on his center commercial each week, with an admonition from Fadiman on those rare occasions when he talks more than 60 seconds. The listener is made to feel that his "entertainment interests" are constantly protected.

Similarly Canada Dry has kept its prizes low—$5 for questions used and an additional $10 for those that stump the experts, to maintain the program's "for the fun of it" aspect. Announcement of prizes "with the compliments of Canada Dry" affords another restrained way of getting the sponsor's name into the program.

Merchandising Trends

This does not mean, however, that *Information Please* is sponsored simply as institutional advertising. Direct sales are the goal and its achievement, proved by the figures earlier in this article, has been the result not only of smart program tactics but also of one of the most intensive merchandising campaigns in radio history. Beginning six weeks before the first sponsored broadcast, Canada Dry has been hard at it, selling the program and the product to the trade and public. Distributors are constantly consulted on dealer reaction; retailers have been given bottle neck displays, counter cards and window cards, as well as a four-page broadside describing the program and its success. A special dealer newspaper, *Information Please News*, keeps the trade informed on the program's progress.

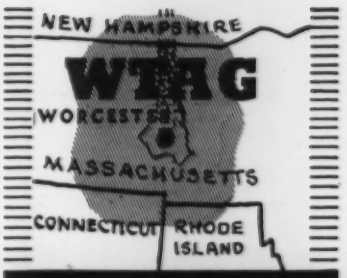
To the public merchandising is achieved by acknowledging every letter received with a courtesy card and a folder on the program; mail addressed to the program's personalities is answered by the individuals concerned; successful questioners receive attractive certificates with their checks; studio guests get a five-page illustrated folder.

The offer of an *Information Please* game in return for two labels or bottle caps and 10 cents to cover handling exhausted the first printing of 100,000 in short order and a second edition is now being rapidly distributed. Other merchandising includes *Information Please* fashion shows in department stores, a Pathe newsreel, a film short produced by the sponsor, newspaper and magazine advertising by both dealers and the company.

Brochure, attractively printed in blue and white and illustrated with pictures of the program's personalities, includes a back-cover pocket containing an *Information Please* game as well as color proofs of the company's magazine tie-in advertisements.

Lea & Perrins on 29

LEA & PERRINS, New York, (sauce), on Sept. 25 will start a varying schedule of from two to six weekly 100-word announcements on 29 stations. The 26-week schedule will consist wholely of nightime announcements, according to Schwimmer & Scott, Chicago agency handling the account.



Primary coverage of a primary market in buying power.

NBC BASIC RED NETWORK
YANKEE NETWORK
EDWARD PETRY & CO., Inc.
National Representative

WE'LL HARVEST THIS CROP TOMORROW!

A slight exaggeration, yes—but all fooling aside, the crops up here in the Red River Valley are gigantic. It's a cinch to raise almost anything in this fertile valley . . . . including sales quotas! For our busy hayseeds make plenty of money—and spend it almost as fast as they make it!

WDAY is the only chain station that covers all the Red River Valley. It's one of the most productive smaller stations in the entire U. S. A. If you want the PROOF, just write us. We've got some facts to show you!

WDAY, INC.

N. B. C.

Affiliated with the Fargo Forum

FREE and PETERS, INC.
NATIONAL REPRESENTATIVES

FARGO N. D.

940 KILOCYCLES
5000 WATTS DAY
1000 WATTS NIGHT

LANG-WORTH *planned programs*

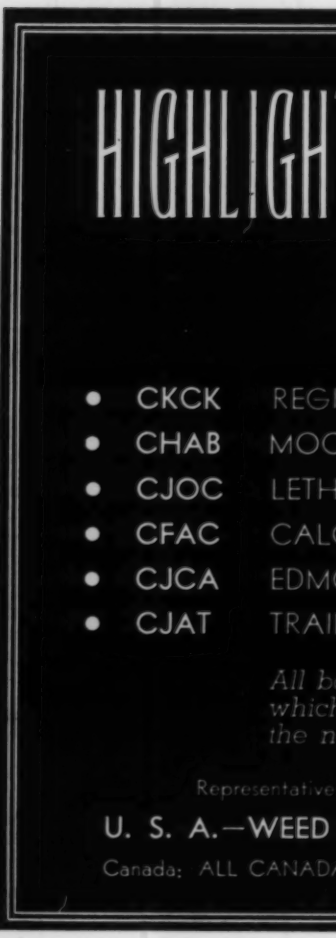
LARGEST PUBLIC DOMAIN RECORDED LIBRARY in the WORLD

LANG-WORTH FEATURE PROGRAMS
420 Madison Ave.
New York

Judge Davis Confirmed

EWIN L. DAVIS, member of the Federal Trade Commission and co-author of the original Radio Act of 1927, on July 19 was confirmed by the Senate for another seven-year term. A native of Tennessee, Judge Davis also was the author of the Davis Equalization Amendment, which set up the quota system for distribution of broadcast facilities. This provision, highly provocative, was repealed by Congress several years ago.

WSAL, Salisbury, Md., on July 27 broadcast the Chincoteague Island Wild Pony Roundup, the only event of its kind in the country.



Legal Case Against Censorship

(Continued from Page 33)

with pains and penalties if they fail to comply. It is the difference between servitude and voluntary restraint.

One may and does impose upon himself restraints that are in the nature of voluntary censorship, but to conclude that there is no essential difference between such voluntary restraint and that which may be imposed upon one by government is again to lose sight of the whole philosophy that underlies our government.

Speaks for Itself

Voluntary restraint by an association is the American way of making sure the performance of a duty that is always coincident to a right. The failure properly to live up to the duty may be, under given conditions, a warrant for taking away the right or privilege; but unless we are to transform completely our concept of government, the right cannot in the first instance be given subject to conditions that of themselves curtail the freedom that is contemplated by the Bill of Rights.

Again I say to you that our theory of Government contemplates citizens full grown, capable in themselves, who do not need the guiding hand of Governmental guardianship no matter how benevolently applied.

The Commission cannot, by an expression of what it declares to be its intent in adopting 43.02(a), actually restrict that or any other regulation that it may adopt within a confine of intent. The regulation speaks for itself and the fact that we may be told that it is to remain innocuous and as an expression of desire, may serve to make those bound by it feel less of concern, but cannot change the question of power or desirability.

The real question here is not what the Commission intended by the rule, but what the rule actually accomplishes and hence the fundamental issue is whether, under the guise of public interest, convenience and necessity, this Commission can set up an affirmative requirement as to program content.

I have, I hope, already made clear that Congress has the right —nay, the duty, in the public interest to place restrictions upon speech in order that the right may not degenerate into license of speech.

Congress Has Power

Congress has the unquestioned power, and it is the very basis of its control, to determine in the public interest who shall be given the right to use of the ether waves. And it has not only the right to determine who shall be licensed to use the ether but also to classify the uses to which particular frequencies shall be dedicated. This power of classification is broad and fundamental as a classification of service to be rendered, but it is not a power that can be used as a medium for disregarding the prohibition on abridging freedom of speech.

As falling within the regulatory power of the Congress, it goes without saying that it has a right to not only allocate frequencies for particular uses but to determine all technical questions as to power, time of use, etc., etc., but there is no reason that I should now go into any minute statement as to the power of Congress that comes under its basic right to regulate. I would only again repeat that the Congressional power of regulation of interstate and foreign commerce is unquestionably held subordinate to the prohibition of the First Amendment.

Congress in its right of regulation has, as a necessary corrollary to it, the right to delegate to administrative agencies the detail of regulation and in so doing can confer upon such agency a quasi-legislative function.

I hestitate to undertake by metes and bounds to define the quasi-legislative powers which can be conferred. Disregarding the power of Congress to delegate true legislative powers to an inferior sovereignty such as a territory or the District of Columbia, it may be said to be generally true that Congress must declare a rule or standard which constitutes the declared policy of the Congress and to the agency created is given the duty of applying to ascertained facts the rule or standard established by the Congress.

I submit, therefore, that Congress cannot delegate to any administrative agency the right to enact a regulation that abridges freedom of speech because of the agency's conclusion that such abridgement is necessary in the public interest. No rule or general standard that a license shall be given only to serve public interest, convenience or necessity can be construed into a delegation by Congress of the right to determine in the public interest what curtailment of speech shall be made.

The Radio Act

The Commission, in further explanation of why the rule was adopted, refers to international agreements to which the United States is a party. I agree with the statement made by counsel for the American Civil Liberties Union that there is no obligation arising from any treaty or agreement which requires the adoption of the regulation here at issue and I further insist that there can be created by treaty no obligation which can be construed into any curtailment of the right of free speech or authorization of censorship. While a treaty constitutes a law of the United States it, like every other law of the United States, must be read in the light of the limitations that are imposed by the Bill of Rights.

Just as those who advocated an enactment of the Bill of Rights were not content with the position of those who said such enactment was unnecessary because no express grant to Congress existed for denying the rights enumerated in the first ten amendments, so Congress was not content to leave as a

HIGHLIGHTS

on the Map of Canadian Radio

- CKCK REGINA, SASK.
- CHAB MOOSE JAW, SASK.
- CJOC LETHBRIDGE, ALTA.
- CFAC CALGARY, ALTA.
- CJCA EDMONTON, ALTA.
- CJAT TRAIL, B. C.

All basic C.B.C. stations which means the cream of the network commercials.

Representatives:

U. S. A.—WEED & CO.

Canada: ALL CANADA RADIO FACILITIES, LTD.

(U.P.)

THE MARK OF ACCURACY, SPEED AND INDEPENDENCE IN WORLD WIDE NEWS COVERAGE

UNITED PRESS

TO INSURE YOUR REACHING THE INNER CALIFORNIA MARKET SPECIFY

McCLATCHY STATIONS

The Paul H. Raymer Company
Representative
New York Chicago San Francisco

matter of argument that no power of censorship or abridgement of freedom of speech existed in the Commission because no express grant to that affect was contained in the law, but insisted that the law should contain an express declaration of the denial of such power to the Commission.

It is to my mind an argument without warrant, therefore, to say that because Congress has conferred upon the Commission the many powers it has, some of which I have enumerated, and especially because Congress has conferred upon the Commission the power to classify stations, that it is within the power of this Commission in making such classification to exercise a form of censorship by determining the character of program that shall be broadcast.

To say that in designating frequencies for use for police purposes, for instance, this Commission at the same time can designate the character of police information that shall be given or withheld; or that in assigning frequencies to the domestic broadcast field or for foreign broadcasting it can indicate the character of program that shall be broadcast. Any such extreme construction of the power conferred by the provision authorizing the Commission to classify stations makes entirely nugatory and void the very plain, unmistakable language of Section 326 of the Act.

But even assuming that Congress could, in connection with the classification of uses to which frequencies shall be put, give to the Commission the power to lay down a rule governing program content, it is perfectly manifest that Congress has done no such thing and has not left uncertain the fact that it has done no such thing.

Judicial Powers

It is not possible for anyone—and indeed it would be most unwise—to undertake to enumerate facts regarding the operation of a station which would warrant the Commission acting in a judicial capacity in refusing a license or in preferring one applicant as against another. The Commission is entitled to have and does have a judgment as to how far the operation of a station, as compared to other stations, justified its determination as to whether such operation is in the public interest, convenience or necessity. But mark you, this right of judgment arises out of the fact that under the present state of the art only a limited number of licenses can be granted and therefore there must follow, by some agency of the Government, a determination not as a matter of favor but as a matter of public interest, as to who shall be given a license.

It is conceivable that the time is near at hand when the progress in the art will be such as to create an unlimited number of channels in the ether that can be used for broadcasting, and when that day arrives the power of the Commission to determine on a comparative basis the rights of applicants to licenses unquestionably will be curtailed.

Until such time, the exercise of its right to determine what constitutes public interest should never be expanded into any exertion of power by which mere opinion of the Commission is made the test as to what in its judgment is in the public interest. The Commission in my judgment never is warranted, because of a classification as to service to be rendered by a station, in entering into the domain of censorship. The power of this Commission is very great. The fact that licenses until but recently were limited to a six month period are now limited to a period of a year, of itself gives to the Commission control over the individual licenses, which makes it doubly essential that control shall not take the form of indirect censorship, let alone of direct.

LARGEST TUBES of their kind ever built in this country, two of these new type 100 kw. giants, in which the filament can be replaced, have been installed in the new 100 kw. international shortwave transmitter of the General Electric Co. at Schenectady, W2XAF, scheduled to go into operation Aug. 1. GE engineers E. D. McArthur, H. E. Rowe and L. E. Record designed the tube, which are expected to produce an effective directional power output of more than 600 kw. but are not expected to replace the 100 kw. tubes in standard or longwave broadcast transmitters. In photo above is the demountable pliotron, as it is called, with man holding the filament assembly.

Wisdom of the Rule

Who shall define culture? Certainly I should not be so bold as to take upon myself any such obligation. But this I am free to say: That no broadcast program, whether intended for domestic or foreign listeners, can ever be considered as reflecting the culture of the American people when it bears the stigma of governmental censorship and lacks the American characteristic of complete freedom of expression.

The fact that the foreign listener knows that the international broadcast he hears from America does convey the free, untrammeled, uncensored judgment of those broadcasting, is one reason for the popularity of the broadcasts.

If the Federal Government is to undertake to stand sponsor for international broadcasts, in that it makes a positive requirement that such broadcasts shall reflect the culture of America and shall be such as to promote international your Honors, as the governmental agency underwriting the harmlessness of programs broadcast on international waves, should prove faulty, the Federal Government must accept the responsibility for the broadcasts and take disciplinary action to punish the offense and to prevent its recurrence.

In summary and in conclusion, may I say that it is my position that the Bill of Rights is an express limitation upon every power conferred upon our Federal Government by the Constitution of the United States.

That Congress, recognizing the limitation in the First Amendment upon freedom of speech, has most emphatically and explicitly declared that this Commission should exercise no form of censorship.

That all of the powers conferred upon the Commission regarding classification and other matters are by the express terms of Section 326 of the Radio Act made subject to that clause.

That Rule 42.03(a) is censorship none the less because of the benevolent intent of the Commission in adopting it.

We lose sight entirely of the fundamental issue here involved if we accept a disclaimer as to an intent to disagreeably or restrictively enforce a regulation as warranting its enactment.

We were told during the hearing that the industry should have no concern over the regulation adopted or some substitute for it, because its enforcement would be by reasonable men and without an intent to interpret it oppressively. This is the old, old plea for power sought to be justified by a disclaimer of intent to abuse the power. But I submit as a matter of law that a regulation adopted speaks in its own language and once adopted it becomes the duty and not the option of those charged with enforcement to see to its enforcement.

It should be a sufficient answer in the realm of practical matters that if the regulation is not to be interpreted as censorship in any way and is not to be enforced, there is no need for it.

WDRC

"THE ADVERTISING TEST STATION IN THE ADVERTISING TEST CITY"

HARTFORD, CONN.

13+13=52

Many of our national and local advertisers originally contracted for just 13 weeks. After they saw the direct results—they renewed for another 13 weeks and another. Now the contracts are for 52 consecutive weeks because they get continuous results.

BASIC STATION OF COLUMBIA BROADCASTING SYSTEM

National Representatives
PAUL H. RAYMER COMPANY

Why KMMJ?

BECAUSE four-fifths of Nebraska's population lives on farms and in small towns. And for 14 years KMMJ has kept itself a farm station—giving these loyal, friendly people the programs THEY like and want, and **only** those advertising messages they can believe in and use to their honest satisfaction. Result is that KMMJ is Nebraska's No. 1 farm station—and 80% of Nebraska is **rural!**

Grand Island is Nebraska's third city; outstanding dairy and poultry center; world's second largest horse and mule market; major livestock auction center; three road railroad center; nearly 3 million dollar annual payroll.

Now, KMMJ's new antenna and transmitter means even **greater** results for you . . . dollars and cents results you can recognize.

Nebraska's farm income, 1st quarter 1939, gained 30% over same period last year. Among all states Nebraska ranks third in percent of income gain.

Tap this rich, eager market through KMMJ. Wire or write for costs and availabilities.

•

RANDALL RYAN, General Manager

HOWARD W. WILSON CO.
Representative

The Dominant Selling Force to Four-Fifths of Nebraska

KMMJ

GRAND ISLAND, NEBRASKA

SAGE
Sayings
about Maine's
Oldest Station
There Are ONE MILLION REASONS Why YOU SHOULD ADVERTISE ON WABI DURING THE SUMMER MONTHS.
Maine's population increases by one million during the summer. Summer real estate owned by non-residents is valued at $110,000,000. In 1938 non-residents spent $2,000,000 in improving and building summer property.
Bangor, Maine
WABI
COLUMBIA BROADCASTING SYSTEM
Rep: Gene Furgason & Co.

'Censor' Rule Change Foreseen

(Continued from Page 32)

sel of the NAB, highlighted the final session [see page 32].

Continuing during the afternoon session July 14 their inquiry into the conditions surrounding the filing June 3 of the NAB's letter of protest on the rules, FCC members questioned Neville Miller, NAB president, further on his conversations prior to the writing of the letter.

Mr. Miller said he felt he was acting in accord with his position as NAB president and that he had checked with many broadcasters, not with respect to his authority but to get their reactions. Among those with whom he talked, he said, were Harry C. Butcher, vice-president, and Paul A. Porter, Washington attorney for CBS; Frank M. Russell, NBC Washington vice-president; Leon Levy, president of WCAU, Philadelphia, which operates an international station; Walter Lemmon, president of World-Wide Broadcasting Corp. of Boston, operating W1XAL, and Duke Patrick, counsel for the Crosley Corp.

Mr. Miller also stated that he thought it was proper procedure to address his letter to Chairman McNinch even though he were out of town, believing that through customary channels the communication would be directed to the acting chairman. After he had read into the record the resolution adopted at the Atlantic City convention approving his action in the international matter, Mr. Miller was asked by Commissioner Thompson what NBC and CBS stations were included in the group voting for the resolution "to show to what extent the resolution reflects the attitudes of network affiliates".

Cross-examined by William J. Dempsey, FCC general counsel, concerning the authority of his letter, Mr. Miller remarked, "If I had to go out and contact a cross-section of the industry every time I write a letter, I'd never get around to writing any".

Claims Lack of Courtesy

He said he had no comment on the FCC's plan to set aside frequencies for international as distinguished from domestic service except that, as stated in his letter, "it involves censorship". As he declared himself unable to answer certain questions involving technical operation and management, he remarked further, "Every witness who takes the stand is not necessarily able to comment on every phase of this hearing".

Referred by Mr. Dempsey to testimony of Mark Ethridge, former NAB president, given last year before Congressional committees considering a bill to establish a Government-operated international shortwave station, in which it was brought out that the FCC should develop a standard of international interest, convenience and necessity, Mr. Miller declared, "If this (the new rule) is the sample, we're opposed to it". The new regulations are "a bad sample of how that theory ought to be interpreted", he added.

The remark by Mr. Dempsey that Mr. Miller was "disappointing" as a witness because of his inability to answer a greater variety of questions brought a stiff retort from NAB Counsel Sherley, who referred pointedly to the hearing as a "star chamber proceeding" and declared that "the courtesy shown the witness is rather conspicuous by its absence". He continued by observing that it was also unfair to place an objector to the form of a rule in the position of opposing the objectives of the rule, as he said was being done with Mr. Miller.

Opening the July 15 session, Paul A. Porter, CBS Washington attorney, called E. K. Cohan, CBS director of engineering in charge of the technical operation of W2XE, CBS international station. Mr. Cohan described the facilities and technical operation of the station, pointing out that although the signals could be beamed accurately to cover certain points in Europe or Latin America, it was still impossible to secure a sharp boundary of transmission and for this reason, from a technical standpoint, it was possible for listeners in a country like Germany or Italy to receive signals directed at the British Isles or France. In some cases, he added, a program that would be popular with listeners in one country might be frowned upon by the governments of adjoining countries.

CBS Program Service

Mr. Porter also called Frederic A. Willis, assistant to the president of CBS, who is in charge of CBS shortwave operations, to explain the program service offered by W2XE. Mr. Willis declared flatly that he did not know just what the rule meant, and that although the service of the station had not been curtailed since issuance of the regulations, he still did not know whether or not he was operating within the rule. He added that literal application of the rule would deprive foreign listeners of many of the present popular programs, reduce the listening audience, and curtail present operations of international stations.

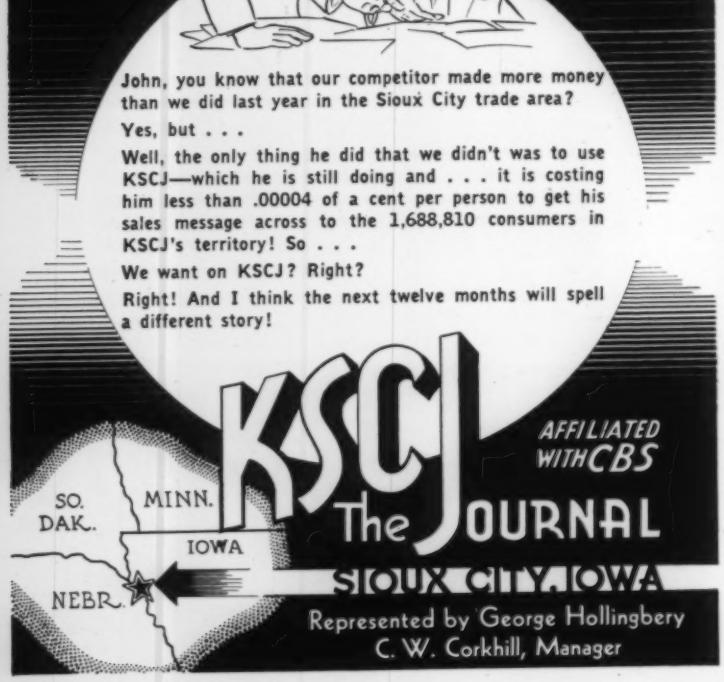
H. Thomas Austern, special counsel for the American Civil Liberties Union, at whose pleading the FCC had ordered the hearing, outlined the Union's stand in a brief argument concluding the Saturday morning session. Questioning the FCC's authority to issue such a rule, Mr. Austern declared it could be found neither in treaty law nor in the Communications Act, which he pointed out expressly prohibits censorship. So long as the Commission confines itself to a "quantitative" analysis of programs, no censorship is involved, he continued, but beyond that point, and as soon as it begins to consider specific program content and "what is said", it amounts to censorship and abridgement of free speech in the eyes of the Union.

"Section 42.03 as a whole is wholly ambiguous," Mr. Austern declared, adding that it will operate as a deterrent to discussions in the international field and practically all present types of programs. "Freedom of speech is paramount to any form of foreign repercussion," he continued. "If getting into the international broadcast field means ignoring the First Amendment, we feel the price is too high."

What Is Culture?

Following CBS and Mr. Austern, P. J. Hennessy Jr., NBC Washington counsel, called Dr. C. B. Jolliffe, in charge of the RCA frequency bureau and former FCC chief engineer, and Frank E. Mason, vice-president in charge of NBC's international division. Dr. Jolliffe gave brief technical testimony on the facilities and operation of NBC's two shortwave stations, W3XAL and W3XL.

Mr. Mason pointed out that the FCC regulation had all the attributes of "surveillance" censorship, which he described as a situation in which the writer or speaker censored himself, and


John, you know that our competitor made more money than we did last year in the Sioux City trade area?
Yes, but . . .
Well, the only thing he did that we didn't was to use KSCJ—which he is still doing and . . . it is costing him less than .00004 of a cent per person to get his sales message across to the 1,688,810 consumers in KSCJ's territory! So . . .
We want on KSCJ? Right?
Right! And I think the next twelve months will spell a different story!
KSCJ
AFFILIATED WITH CBS
The JOURNAL
SIOUX CITY IOWA
SO. DAK.
MINN.
IOWA
NEBR.
Represented by George Hollingbery
C. W. Corkhill, Manager

NEWS

Seven world wide news services and special correspondents of four papers provide up to minute flashes for six daily news broadcasts.

CJOR

Vancouver, B. C.

National Representatives:
Joseph Hershey McGillvra

ON THEIR WAY to the carillon floor of the Golden Gate Exposition's Tower of the Sun, from where they recently described—at a height of more than 400 feet above San Francisco Bay—the Pacific Fleet's passage past the Exposition for CBS, are Bob Garred (top) and Jack Gregson, KSFO, announcers, smiling pleasantly despite their burdensome equipment.

which he said was "censorship after the fact". This "surveillance", he pointed out, is the type of censorship most widely used in the "censored countries", rather than "before the fact censorship." It is particularly delicate in operation because it is impossible for any one to say, for instance, what the reaction to a particular news broadcast would be in a foreign country, he explained.

Cautioning the FCC against freezing standards, which he said would be done by arbitrarily enforcing the international broadcast rule, Mr. Mason said compliance with the cultural provision would be difficult because it has been impossible to find a complete definition of culture. Charging contradiction "between the letter and the spirit of the rule", he declared, "You can't freeze standards in the newspaper business, and after all, this is journalism of the air."

America Preferred

Boyd W. Bullock, assistant manager of General Electric broadcasting in charge of international broadcasts, in opening the concluding session July 17, said that although broadcasting uncensored news would not be well accepted by the leaders of some countries, correspondence from listeners all over the world has indicated that "the foreign listener likes to get uncensored news and programs typically American". Admitting the objective to be good, he continued, it should not be stated in the rule because the official statement connotes that "program content must necessarily be examined, and this constitutes censorship, whether done before or after the broadcast".

"We'd have to take each program and measure it against each qualification of the rule, because if we didn't we would feel we would be subjected to criticism at least," Mr. Bullock pointed out. He also declared that it was not so much the fear of not complying that was bothering broadcasters, but the fear of not knowing how to comply, and not so much the fear of intent on the part of the FCC as the possible interpretation in foreign countries that American programs were censored, which he said could stifle the present world-wide acceptance of American programs as representing censor-free thought.

Evans Wants Standards

Reemphasizing points of his testimony given at previous FCC hearings, S. Howard Evans, of the National Committee on Education by Radio stressed the need for the FCC to set up definite standards for radio programs as " one of the best ways to insure the freedom of radio in the face of controls of which it is and must continue to be subject". He declared that so long as there was no "previous restraint", the power to review was one of the "'wide latitudes" of the FCC in allocating facilities.

"While the Commission has begun to act on nontechnical aspects of radio regulation, it has not developed any standards to be used as a guide for such action," Mr. Evans pointed out. "The result is that the Commission is free to exercise its broad and undefined powers of discretion almost without limit and thus by a process of indirection or intimidation might exercise over stations a degree of control which it could never assert directly.

"I consider the wording of this proposed rule to be unfortunate. As I see it, the Communications Act itself is almost entirely negative in its declaration that no broadcasting can take place except under Federal license. In my judgment the duty of the Commission is to clarify the Act not by the issuance of further negative rules but by positive declarations of what can and should be done under the Federal license. A much happier wording would seem to have been one in which the Commission emphasized that an international broadcasting service should be designed to produce cultural and goodwill programs rather than that international broadcast stations 'shall render only' a cultural and goodwill service."

Urges Minor Changes

Called by A. B. Landa, counsel, Walter S. Lemmon, president of World-Wide Broadcasting Corp., explained that the scope of World-Wide's program policies was narrower even than provided in the rule, and that it was working to establish a "world university of the air", as contrasted to NBC's "newspaper of the air" and CBS' and GE's "magazine of the air". He declared that although changes in wording might be made in 42.03(a), intent of the rule would not affect the present operation of the World-Wide facilities, since it lies well within the regulation.

Prof. John C. Scammel, of Boston U. and a member of the executive committee of the World-Wide Broadcasting Foundation, followed Mr. Lemmon on the stand, and declaring that sufficient latitude for good culture-promoting broadcast service was provided under the rule, quoted Matthew Arnold in defining culture as "an ever-changing becoming, not a state".

Mr. Landa, in making his concluding argument, following that of Mr. Sherley, declared that although he was not speaking in favor of censorship, it was the "duty of the Commission" to establish "certain guideposts and certain limitations" for international broadcast activities. He said also that a legal difference exists between "international free speech" and "domestic free speech" as well as between international broadcasting and domestic broadcasting.

News or Drama

ABOUT the time the transcribed Edward G. Robinson show, *Big Town*, wound up July 14, WSM, Nashville, got a news flash on the mine explosion at Providence, Ky., which trapped 38 miners. Immediately it broadcast a bulletin, forgetting for the moment that the *Big Town* episode had just concluded an account of the crusading managing editor's fight against a dangerous mine in the Big Town community, climaxed by a mine cave-in which trapped several miners. When the WSM announcer flashed the spot news, listeners began calling to find out if the Providence mine tragedy was to be dramatized the following week — few had realized it was an actual news bulletin, unconnected with the paralleling drama preceding.

In the old days they fired a gun from The Citadel in Halifax, Nova Scotia to tell the time.

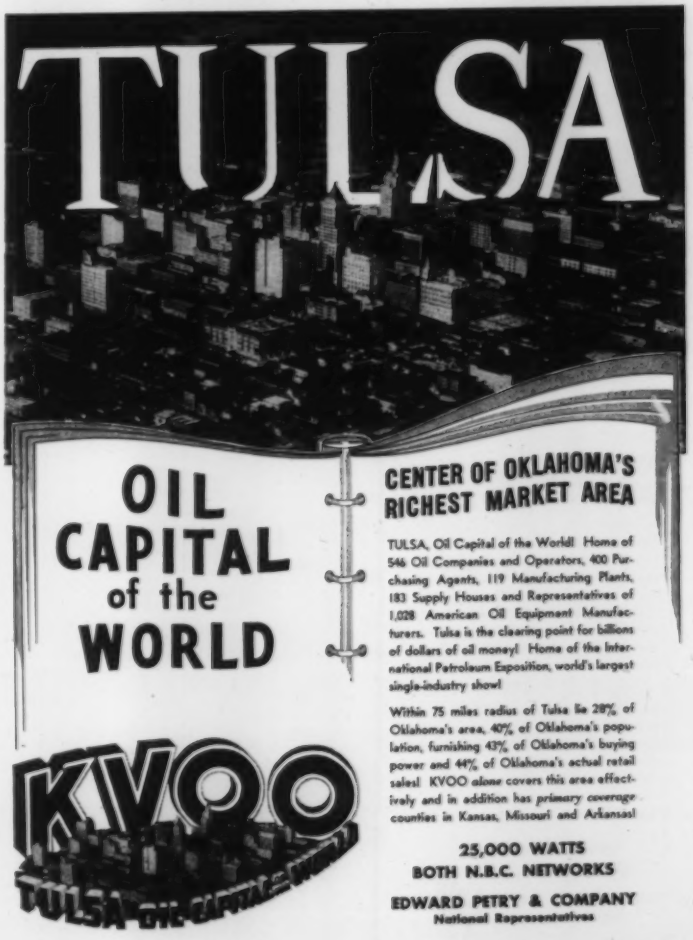
Today the population listens to CHNS for the time.

NOTE: They Still Fire the Gun Keeping Up the Old Traditions!

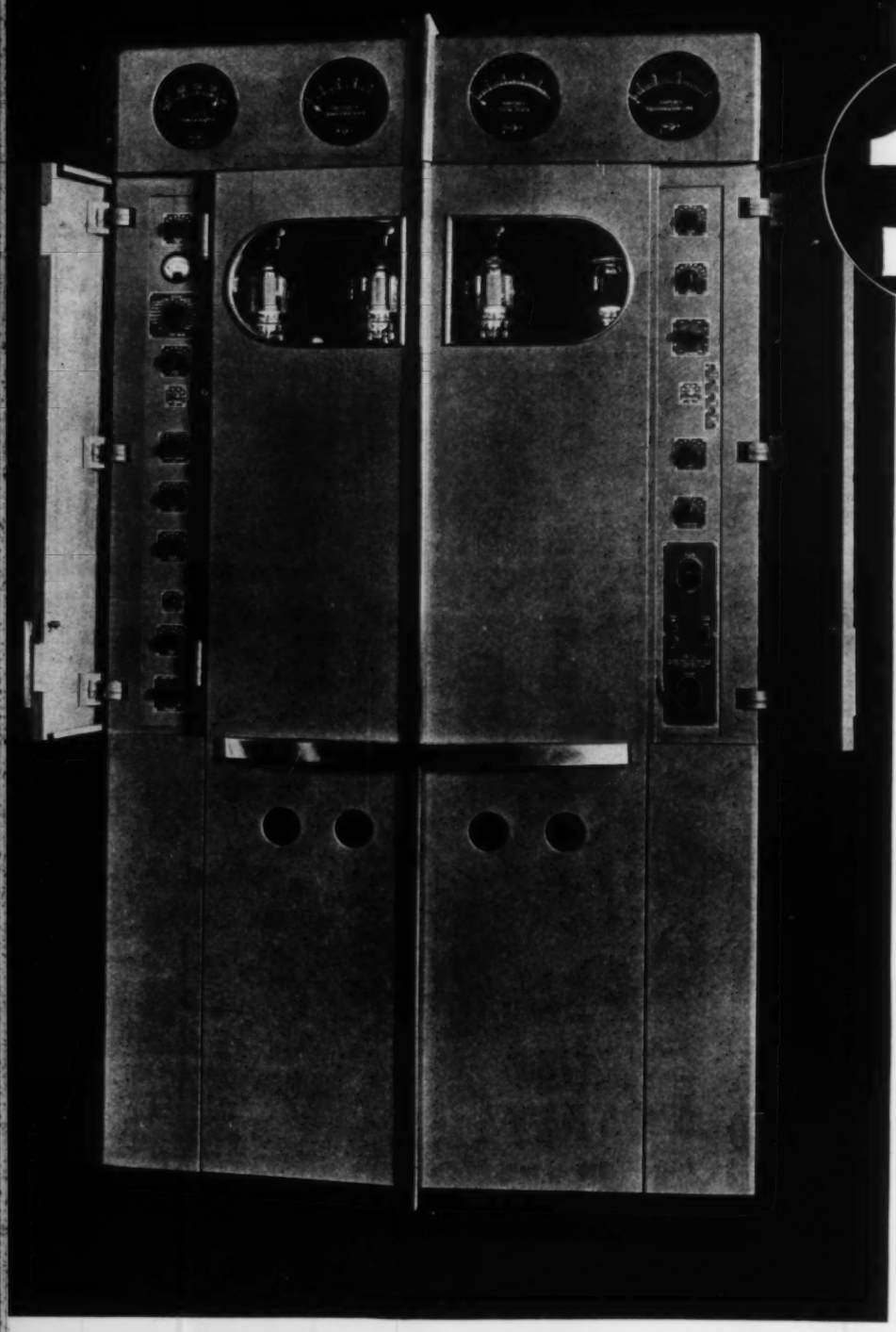
Traditions, However, Don't Get Much Business.

CHNS Does — Try It.

THE MOST POWERFUL STATION IN PUERTO RICO
WNEL, with 2,500 watts day-1,000 watts night, is heard throughout Puerto Rico.
WNEL
San Juan

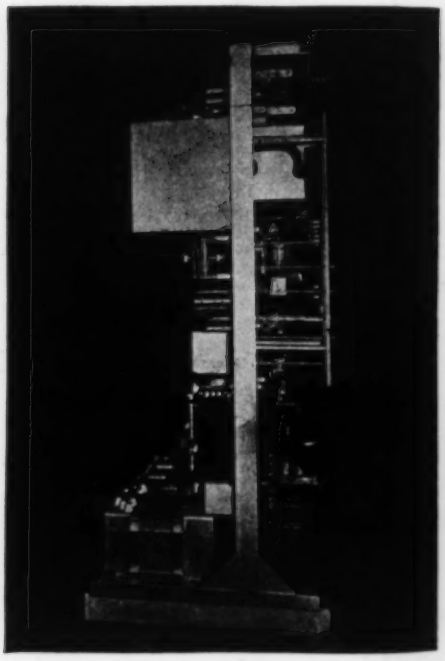

TULSA
OIL CAPITAL of the WORLD
CENTER OF OKLAHOMA'S RICHEST MARKET AREA
TULSA, Oil Capital of the World! Home of 546 Oil Companies and Operators, 400 Purchasing Agents, 119 Manufacturing Plants, 183 Supply Houses and Representatives of 1,028 American Oil Equipment Manufacturers. Tulsa is the clearing point for billions of dollars of oil money! Home of the International Petroleum Exposition, world's largest single-industry show!
Within 75 miles radius of Tulsa lie 28% of Oklahoma's area, 40% of Oklahoma's population, furnishing 43% of Oklahoma's buying power and 44% of Oklahoma's actual retail sales! KVOO alone covers this area effectively and in addition has primary coverage counties in Kansas, Missouri and Arkansas!
KVOO
TULSA—OIL CAPITAL OF THE WORLD
25,000 WATTS
BOTH N.B.C. NETWORKS
EDWARD PETRY & COMPANY
National Representatives

3 Hits of the



1 NEW

For neater appearance and to prevent tampering, all tuning and operating controls, test meter, transfer switch, and sampling jacks are mounted in enclosed side panels.



Completely new method of assembly—all electrical apparatus with the exception of three door switches which are mounted on the cabinet, is assembled on a central structure.

"ASK YOUR ENGINEER" **Western**

e NAB Convention

W 1KW TRANSMITTER

HAS DOHERTY HIGH EFFICIENCY AMPLIFIER CIRCUIT

No wonder Western Electric's new 1 KW scored a hit! It's radically different in appearance—styled by the famous designer, Henry Dreyfuss. It's radically different in construction and performance—providing accessibility never before approached in a 1 KW.

The Doherty Circuit adds all 'round operating efficiency. Improved final stage grid bias modulation, using the new 357A vacuum tubes reduces distortion and cuts primary power to 4300 watts.

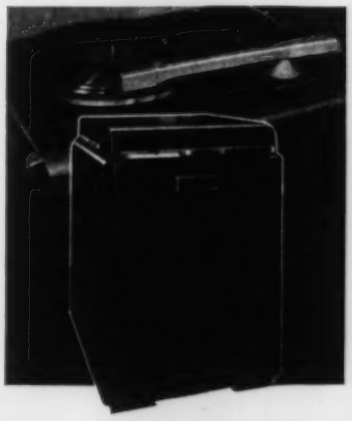
(2) NEW REPRODUCING GROUP

FOR BOTH VERTICAL AND LATERAL RECORDINGS

Designed by Bell Telephone Laboratories, the new Reproducing Group meets the most exacting requirements of transcription broadcasting.

The group includes a reproducer and arm, equalizing equipment and accessories. It has an overall frequency response to better than 10,000 cycles per second for *lateral or vertical reproduction.* Its combined equalizer and matching device is designed to operate into impedances of 30, 250, 500 and 600 ohms.

(3) NEW REPRODUCER SET



DESIGNED ESPECIALLY FOR TRANSCRIPTIONS

The 1300A Reproducer Set, in a single unit, provides equipment to reproduce both vertical and lateral records with greatest fidelity. It includes Reproducing Group equipment plus a two-speed flutterless turn-table, built into a beautiful, all-metal sound insulated cabinet.

The 1300A Set plays either vertical or lateral recordings up to 16" in diameter at 33-1/3 or 78 r.p.m. It operates on a power supply of 110-120 volts, 60 cycle AC; using about 35 watts.

Electric

Distributed by Graybar

DISTRIBUTORS:

Graybar Electric Co., Graybar Building, New York. *In Canada and Newfoundland:* Northern Electric Co., Ltd. *In other countries:* International Standard Electric Corp.

New Firm Enters Television Field

Radio Wire Television Corp. Merges Several Concerns

LOOKING to the "ultimate distribution of entertainment by wire," particularly in the case of television, a new company to be known as Radio Wire Television Corp. of America, with headquarters at 160 E. 56th St., New York City, has been formed from a merger of the holdings of Wire Broadcasting Inc., Wholesale Radio Inc. and the subsidiaries of these companies. Under New York financial auspices, the company filed a certificate of incorporation July 20 in Wilmington.

John E. Otterson, formerly president of Winchester Repeating Arms Corp., Electric Research Products Inc. and Paramount Pictures, is president. Mr. Otterson is also head of Tri-National Films, American distributor of foreign movies, some of which are being televised currently by NBC. J. R. West, president of Wire Broadcasting, and A. W. Pletman, president of Wholesale Radio, are vice-presidents. The company reports it has been licensed by ERPI and has acquired rights to the WBS recorded library. It plans network distribution of programs by wires without commercials.

Several Firms Absorbed

Absorbed in the new company are the subsidiaries of Wire Broadcasting, which supplies musical entertainment by wires to hotels, restaurants, night clubs, etc. The subsidiaries are listed as follows: Teleprograms Inc. of N. Y., Telemusic Inc. of N. Y., Wire Programs Inc. of Delaware, Muse-Art Inc. of Pennsylvania, Wire Broadcasting Inc. of Pennsylvania, and Tele-Vision-Music Inc. of Washington, D. C.

Wholesale Radio Inc., which merchandises radio equipment, phonographs and photographic supplies, takes on the name of the new company. Also acquired by Radio Wire Television Corp. are Transformer Corp of America, manufacturing radio and electrical equipment; TeleCapital Corp., a financial unit, and Syndak Corp., said to own patents in the motion picture projection, sound and lighting fields. These will continue to operate under their present corporate names.

"Every current technological trend," Mr. Otterson stated, "points to the ultimate distribution of entertainment by wire. Particularly is this true in the case of television where, according to leading scientific authorities, the transmission of images beyond the horizon presents great difficulty. Not only can wire networks bring radio and television into any home in America from a central point, but this can be achieved without interference by static or other forms of atmospheric disturbances. At present our operation is limited to principal key cities on the Atlantic seaboard. In the near future, however, we hope to extend our service on a nationwide basis."

WITH Hume Lethbridge as manager, Canada's newest newspaper-owned station, CKLN of the *Nelson* (B. C.) *Daily News*, 100 watts on 1420 kc., has started regular operation.

A TYPICAL RADIO ENGINEER

As Seen by Western Electric Co.'s Artist After Studying Many Persons

TO GET a composite picture of the chief engineers of America's broadcasting stations, *Pick-Ups*, monthly publication of Western Electric Co., sent out about 700 questionnaires, received 293 answers, turned them over to an expert statistician and came out with this result, condensed from *Pick-Ups*, July issue:

The typical chief engineer is 32 years old; measures five feet ten inches in height; weighs 163½ pounds. Brown hair and blue eyes predominate. He is married and has one child. He has spent six years at his present station and 4½ years as head of the engineering staff. He is a typical American; only seven out of 293 were foreign born. He is a traveler, having visited 19 states and three foreign lands.

He has a better than average education: 278 completed high school; 93 have college degrees and 65 from one to three years of college training, while 185 took supplementary courses in radio engineering. He started in radio as a ham about the time he donned his first long pants. Most of his working career has been spent in broadcasting or an allied field.

In emergencies, when floods submerge stations, hurricanes tear down antennas, sleet cripples wires or lightning shatters transmitters, his job is to get his signal back on the air and he gets it back in record time. But in the ordinary routine of his job his biggest headache is selling his management on the need for new equipment, with trying to make old equipment act like new second on his problem list. His chief professional enjoyment comes when the station receives good reports from the FCC or when sponsors compliment him on smooth operation. For relaxation he takes a busman's holiday by going in for ham radio, with photography as second place hobby.

Asked if, given a chance to start life anew, they would choose radio engineering as a profession, they almost unanimously answered, "Yes".

From PICK-UPS

MR. CHIEF ENGINEER, a composite portrait by S. J. Woolf, drawn after the noted artist had studied photographs of more than 100 chief engineers and the biographical data on nearly 300.

SAMFORD MAJOR, formerly of Tele-Programs Inc., New York, wired program service, and Nelson Griggs, formerly of WGNY, Newburgh, N. Y., have joined the engineering department of WOR, Newark.

WILLARD DEAN, engineer of WPTF, Raleigh, N. C., on July 18 married Mary Ellen Lawrence, formerly hostess and stenographer at the station.

DAVID KARBACH, engineer of KSUN, Bisbee, has been transferred by the Arizona Network to KTUC, Tucson.

FARRELL BUCKLEY, formerly on the technical staff of KHBC, Hilo, Hawaii, has joined KHJ, Los Angeles.

ELBERT WALKER, KHJ, Los Angeles, transcription engineer, on July 15 married Frances Taylor.

JAMES LEWIS, formerly of KARK, Little Rock, Ark., has joined the engineering staff of KNOW, Austin, Tex.

R. S. McDANIEL Jr., recording engineer of KTRH, Houston, and his bride returned July 21 from their honeymoon in San Francisco.

WILLARD DEAN, engineer of WPTF, Raleigh, N. C., married Mary Ellen Lawrence, station hostess, July 18.

WORTHINGTON C. LENT has been transferred to the development and research division of NBC's stations department as assistant director of development and research. His headquarters will continue to be the network's Washington office, and his duties the same as previously.

HENRY GAUTHIER, CBS sound effects engineer, recently became the father of a boy, Robert Henry.

ELMER PRITCHARD, engineer of WTAR, Norfolk, on July 25 married Kathryn Holderby.

Monitor Bill Passed

THE SENATE July 18 passed the bill (S-2611), authorizing purchase of a site and erection of a new radio monitoring station in Massachusetts. The House has pending an identical bill which is expected to be approved. The new monitoring station, when constructed, will be placed in charge of a radio inspector of the FCC. The measure places a limit on the cost of $30,000, but does not actually appropriate the funds. The present monitoring station at Hingham, adjacent to the Naval ammunition base, would be abandoned. While the new site has not been selected, pending final passage of the bill, consideration is being given to a site near Millis.

PATENT No. 2,165,226, covering an automatic tuning system and apparatus, was issued July 11 by the U. S. Patent Office to Arthur A. Collins, president of Collins Radio Co.

Finch Facsimile Names Kent as Sales Manager; New Device Announced

COINCIDENT with announcement of its new tabloid-page printing facsimile transmitter and associated equipment, Finch Telecommunications Laboratories Inc., New York, on July 24 reported the appointment of Roscoe Kent as sales manager. Mr. Kent previously was associated with the old De-Forest Radio Co., Wired Radio Inc. and Muzak Corp. He left Muzak to join Finch, which reports its equipment now installed in 15 broadcasting stations.

Mr. Kent

The new apparatus prints 20 square inches of text and pictures per minute and can be operated from any power source. It is self-synchronizing under all conditions of operation, printing 100 eleven-inch lines per inch on paper 17 inches deep.

The Finch firm now operates its own facsimile station at 1819 Broadway, New York. Its call letters are W2XBF and it operates on 43.74 mc. Its daily broadcasting schedule is 3 to 5 p. m. In July the FCC also granted Finch a license to operate an ultra-short-wave broadcasting station with 1,000 watts on 42.18 mc., using the call letters W2XWF.

Three-Element Antenna Is Installed by KCMO

ONE OF THE few three-element directional antenna transmitting systems in use in the United States is the recently completed $35,000 transmitter of KCMO, Kansas City. Designed and installed by KCMO's chief engineer, Lloyd Sigmon, the layout is phased to give maximum protection in three directions at night, while pulling the power back to the West over Greater Kansas City.

Directional broadcasting is from two 200-foot antenna towers, used in conjunction with a third antenna suspended midway between them, from a supporting cable, while daytime broadcasting is from the center antenna alone. A 30′ x 22′ brick transmitter house, of modernistic design, completes the layout, located at the corner of Washington Park Blvd. and Hardesty St., on the eastern outskirts of Kansas City, the underground system consists of 130,000 feet of copper wire tied-in to galvanized nettings sunk under each tower. Equipment was manufactured by Collins Radio Co., Cedar Rapids, and plans for the wiring system and transmitter house were drawn by Larry Hoagland, of the KCMO technical staff.

E. K. COHAN, CBS director of engineering, joined the rescue squad with his new 30-foot yacht *Electron* July 20 when he spied a ten-foot sailboat, with two boys aboard, helpless in the powerful flood tide of Hell's Gate in New York harbor. After a towline between the two boats had broken, Cohan pulled alongside and took the frightened boys aboard.

Equipment

WESTERN ELECTRIC Co. has announced a new 1 kw. transmitter for which WE claims "the efficiency of a 50-kw. equipment and the accessibility of a breadboard model." Transmitter, designed primarily for commercial broadcasting, includes such features as the Doherty high efficiency circuit, the stabilized feedback principle and an assembly of all components on a vertical panel in such a way that no part of the circuit is obscured by any other part, features not usually found in medium-powered transmitters. Cabinet, of modern design, was concieved by Henry Dreyfuss, industrial stylist.

GARRARD SALES Corp., 296 Broadway, New York, American sales representative of Garrard Engineering & Mfg. Co. Ltd., Swindon, England, manufacturers of automatic record-changing units and record players, has published a new 16-page catalog describing and illustrating its new line of automatic record-changers, motors, pickups and turntables.

NEW portable lightweight transcription playback machine is currently being marketed by Charles Michelson Co., New York, which is used to date by WDGY, WWJ, WBIG, WJHL, WNAX, J. H. McGillvra in Canada, American Auto Insurance Co., New York, and Maxon Inc., New York. The machine weighs under 20 pounds, operates on 10 watts and contains all standard equipment, according to Mr. Michelson. The company has also issued a new set of its "Speedy-Q" sound effects.

WIS, Columbia, S. C., recently purchased, in addition to replacement material, new testing equipment for its transmitter, including an RCA 68-B precision beat-frequency oscillator, RCA 69-A distortion and noise meter, and a Crosley facsimile receiver kit, along with WE 23-A console type speech input equipment.

NBC-Chicago is constructing a record cabinet housing a minimum of three copies each of 1,000 sound effects recordings. The new cabinet uses pressed steel forms and a frame lock system. It is being designed and constructed by Tom Horan, sound effects supervisor of NBC-Chicago, and Irving Bickler, sounds effects engineer.

CANADIAN Broadcasting Corp. nearly lost its $30,000 mobile recording unit down a 500-foot precipice in Cape Breton National Park, Nova Scotia, July 25. The unit was en route to the park to make sound sequences for the CBC program *Summer Over the Maritimes*, when the trailer with the equipment and Engineers Cliff Spear and Fred Wadsworth, slipped over the edge of the cliff. R. T. Bowman, CBC special events chief, driving the car, was able to stop in time so that the trailer was left hanging over the cliff suspended by its rear axle. The two engineers rescued the records before they climbed out. With the help of nearby farmers the trailer after several hours was put back on the road.

What Station—

broadcasts the strongest signal to the Great Smoky Mountains National Park which drew 694,634 visitors from every state and many foreign countries during 1938?

Why It's **WNOX** 1010 KC CBS

5000 W Day 1000 W Night

KNOXVILLE, TENNESSEE

Scripps-Howard Radio, Inc.

Representative

THE BRANHAM CO.

Television News Notes

Television and Movies

IT WILL be several years before television blankets the country, and in the meantime the film industry is making provisions to meet the situation. So stated George W. Weeks, vice-president of Monogram Productions, in Hollywood in mid-July. He declared that the film industry will be able to overcome any obstacles arising from television and that the two mediums will be able to work in closer harmony than pictures and radio. "The film industry has no immediate worry or concern," he said. Unrest among exhibitors because of television will gradually disappear when the new "see-hear" medium swings into full operation, he said. He predicted a closer working arrangement between television and the theatre, with motion picture house screens being utilized for visualization for the big sponsored programs. Smallness of home screens, in his opinion, will cause people to take their television entertainment in theatres where a larger image can be offered. He also pointed out that television will be forced more or less to use films for broadcasting and that this too will necessitate a closer working arrangement.

* * *

RCA Unit Described

A TECHNICAL description of the television demonstration system employed by RCA in its exhibit building at the New York World's Fair, units of which are to be made available to broadcast stations for local demonstrations on a rental basis [BROADCASTING, July 15] is carried in the July *RCA Review* published by RCA Institutes Technical Press, 75 Varick St., New York. Donald H. Castle of the NBC video facilities section is the author. The same issue carries an article on the application of motion picture film to television by E. W. Engstrom, G. L. Beers and A. V. Bedford, and on an Iconoscope pre-amplifier by Allen A. Barco.

* * *

KMBC Seeks Television

MIDLAND Broadcasting Co., Kansas City, owners and operators of KMBC, applied July 24 to the FCC for a television construction permit. KMBC, through its subsidiary, Midland Television Inc., was a pioneer in developing the modern 441-line electronic system, as well as the outmoded disc-scanning method. Dr. Vladimir Zworykin, who developed the modern Iconoscope, in the early days of broadcasting and television was associated with Arthur B. Church, president of KMBC, in another venture. Mr. Church said that Midland hopes to go on the air this winter with television.

* * *

Zenith Seeks Site

ZENITH Radio Corp., first Chicago firm to be authorized to erect a television station, has been authorized by the FCC to operate a 50-watt portable station on 45.25 mc. from Aug. 1 to 30 in order to make a site survey for its station, to be known as W9XZV.

NBC Overhauls Studio

NBC's August television schedule drops all evening telecasts of live talent, while the studio is overhauled for the winter season and while the staff vacations. Feature films will be broadcast three evenings weekly, Tuesday, Thursday and Friday, from 8:30 p.m., but the chief feature of the August programs will be the outdoor pickups of the mobile unit, just equipped with its second camera, on Wednesday, Friday and Saturday afternoons, 4-5. The normal schedule of evening studio telecasts will be resumed Aug. 29.

* * *

New GE Tubes

BATTERY of four new-type water-cooled quartz mercury-arc units, containing 12 lamps with a light output equivalent to that of nearly 30,000 watts of incandescent light and at the same time giving off little heat, has been installed by GE engineers in the new General Electric television studios in Schenectady. The new mercury lamp radiates more than 2 1/3 times the light of an incandescent lamp of the same wattage. The 12 1,000-watt lamps used in the GE television studio have a total light output of 780,000 lumens, while the same wattage of incandescent lamps would give off only 330,000 lumens of light.

* * *

Lehn & Fink Show

LEHN & FINK PRODUCTS Corp., New York, on July 27 presented a ten-minute television broadcast of "General Germ Gets a Jolt", cartoon film promoting Lysol disinfectant, on the NBC television station W2XBS. Lennen & Mitchell, New York, handles the account.

Antennas for Amateurs

FOLLOWING its recent move in placing television tubes and parts on sale for amateurs and experimenters who wish to build their own television receivers, RCA has also made three television receiving antennas available to this same group. The antennas are a double di-pole, for use where reflection and distortion are not problems; a double di-pole with reflector, for use where reflections from adjacent buildings might cause double images, and a double "V" wire antenna, for use in suburban areas where signal strength is good and reflections not encountered.

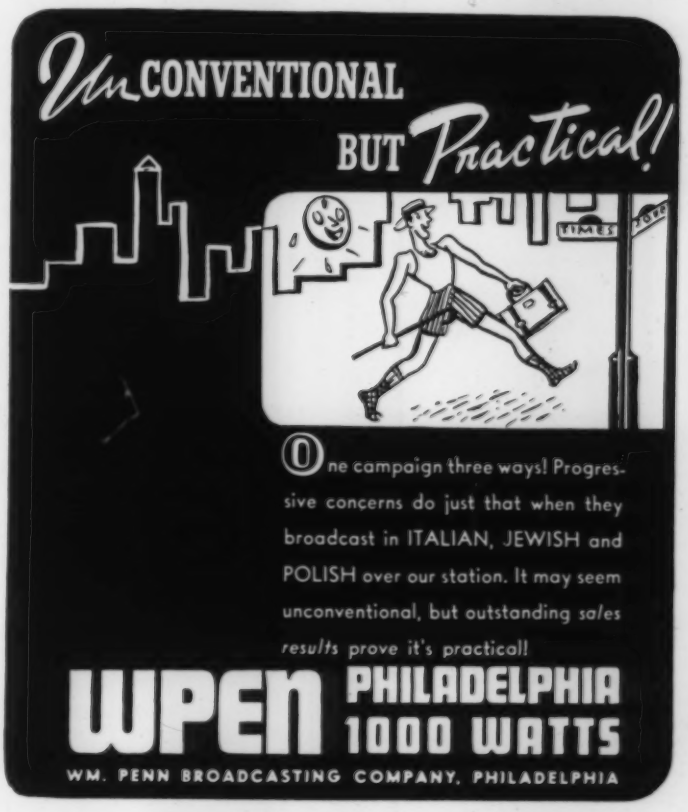
KOWH in New Home

NEW STUDIOS of KOWH, located on the top floor of the Omaha World-Herald Bldg., were formally dedicated July 23 with State, civic, religious and other notables headed by Gov. Roy L. Cochran participating. The station, recently acquired by purchase by the newspaper, planned dedication programs for the entire week. Among other speakers were Vernon H. (Bing) Smith, general manager, and J. M. Harding, assistant publisher of the newspaper.

ASSOCIATED RECORDED PROGRAM SERVICE

Quality Programs for Commercial and Sustaining Uses.

25 West 45th Street
New York City


UnCONVENTIONAL
BUT Practical!
TIMES
POST
One campaign three ways! Progressive concerns do just that when they broadcast in ITALIAN, JEWISH and POLISH over our station. It may seem unconventional, but outstanding sales results prove it's practical!
WPEN PHILADELPHIA
1000 WATTS
WM. PENN BROADCASTING COMPANY, PHILADELPHIA

WCKY Jumps to 50 Kw. Without Any Ceremony

WITHOUT preannouncement or ceremony, WCKY, Cincinnati began regular operation with 50,000 watts power when it broadcast July 27. The announcement: "WCKY — powerful as any radio station in the entire United States", was made over the air. Formal dedication of WCKY's new RCA transmitter has been postponed until Oct. 1, when the L. B. Wilson station becomes the Cincinnati outlet for CBS [see page 28].

Each member of the WCKY staff received from Mr. Wilson a memento of the high power operation, transforming it from 10,000 to 50,000 watts. Men were given red and blue neckties and the ladies a necklace of 50 pearls. The ties had been ordered several weeks ago, the colors representing NBC Red and Blue networks, programs of which WCKY has been carrying for a decade.

WESG, Elmira, N. Y., licensed to Cornell University but operated commercially under arrangement with the Gannett Newspapers, on July 26 was assigned to regular operation with 1,000 watts on 850 kc., from 8 a. m. until sunset in New Orleans. The frequency is occupied by the 50,000-watt WWL, New Orleans, and the dual daytime operation was formerly classified as experimental.

POSTPONEMENT from Aug. 10 to Aug. 16 of the hearing on the renewal application of KVOS, Bellingham, Wash., and on the application of Bellingham Broadcasting Co., for that station's facilities, was announced July 28 by the FCC. Hearing will be held in Bellingham, and Commissioner G. H. Payne will preside.

Paramount on CBS

PARAMOUNT PICTURES, Hollywood, on Aug. 7 will sponsor the world premiere of "Our Leading Citizen" on 43 CBS stations, Mon., 10-10:30 p.m. (EDST). Broadcast will originate from Van Buren, Ark., hometown of Bob Burns, who is starred in the film. He will be master-of-ceremonies during the broadcast which will have several Paramount players and Irvin S. Cobb, writer, featured. Bob Hussey, in charge of Paramount West Coast radio activities, will supervise production of the broadcast, with Charles Vanda, CBS western program manager, directing the program for the network.

Healthaids List

HEALTHAIDS Inc., Jersey City, (Serutan), has announced the 15 stations which will be added Sept. 11 to the campaign on WOR, Newark, of five times a week half-hour programs, featuring Victor H. Lindlahr, editor of the *Journal of Living*. Stations are: WIP WJJD WHDH KQV KHJ WHK WXYZ WGR WTCN WKRC KFRC WIL WHB and WBAL. Agency is Austin & Spector, New York.

Albert Labs. Spots

ALBERT LABORATORIES, Chicago (Resperine hay fever remedy), has started thrice-weekly 15-minute programs on WWVA, Wheeling; six weekly 10-minute shows on WDZ, Tuscola, Ill.; 10-minute daily and half-hour Saturday shows on WMMN, Fairmont, W. Va. Newby, Perron & Flitcraft, Chicago, handles the account.

Recording Ruling

(*Continued from Page 14*)

ment; (3) restraining WNEW and Elin Inc. from broadcasting any records made by RCA which are labeled with notices prohibiting their use for broadcast or limiting them to use for non-commercial purposes on phonographs in homes without RCA's consent; (4) restraining WNEW and Elin Inc. from competing unfairly with RCA by broadcasting any of its records without RCA's consent; (5) restraining WNEW and Elin Inc. from competing unfairly with Whiteman and from violating his common law property right by broadcasting any of the records made under his third contract with RCA without his consent; (6) restraining WNEW from inducing Bruno-New York [RCA record distributor] to breach its agreement with RCA by selling WNEW phonograph records made by RCA for broadcast use without RCA's consent. All injunctions were made permanent. Costs were awarded to RCA.

In answer to a query from BROADCASTING as to whether the case constitutes a good precedent, Mr. Mackay stated that in his opinion it does.

"If the case had been limited to a single recording it might not have been so," he said, "but because this case dealt with all three types of contract which are made between artists and recording companies I think it forms an excellent legal precedent. Furthermore, the decree recognizes the rights of the record manufacturer on three counts, giving him the right to restrict or prohibit the broadcasting of his records, protecting him against unfair competition from having his records broadcast without permission, and upholding his right to forbid the sale of his records for use in broadcasting."

Licensing Plan

RCA, he said, will shortly formulate a licensing plan for stations, whereby they will be permitted to broadcast records made by RCA on payment of a "reasonable fee". This license will allow the broadcaster to use any records made under the usual type of artist contract, in which all rights are assigned to the manufacturer, or under contracts in which the selling rights are not mentioned. Records made under contracts in which the artist prohibits their use in broadcasting will be listed in the licenses, he said, as not being included. This third type of contract is extremely rare, he stated, and would cover only about 1% of all RCA records, chiefly in the field of symphonic and operatic music.

Mr. Mackay said that RCA is now preparing letters to be sent to stations informing them of the decision and notifying them of RCA's intention to issue licenses. Explaining that the fees collected from broadcasters will be equitably divided between the recording artist, the copyright proprietor and the manufacturing company, he said that letters will also be sent to the company's recording artists, promising them a fair share of these license fees and warning them against signing away their rights to any organization which might take from them a portion of their fees.

While the letter mentions no names it is obviously aimed at NAPA, organization of recording artists, which is urging its members "not to surrender their rights in their recordings, but on the contrary to reserve them so they may not be commercially exploited against their interests." A statement issued by NAPA following the preliminary announcement of "findings of fact and conclusions of law" announced by Judge Leibell on July 14 continues:

"NAPA feels that the artist's reputation, talent and personality must be protected against such commercial exploitation. The only interests of the recording companies are the profits resulting from such exploitation. The artist's interests, on the other hand, are of a deeper character, since they include not only his pecuniary rights, but the protection of his artistic integrity."

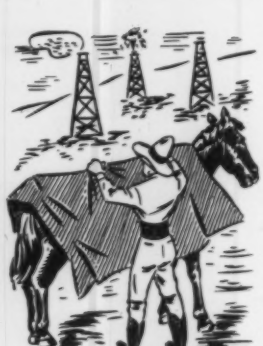
Representatives of Decca Records and of Columbia Recording Corp., other major manufacturers of phonograph records, admitted they were studying the decision closely but said their companies had not yet made any decision as to whether they would follow RCA's example in issuing licenses to broadcasters. It is generally expected, however, that some form of broadcasting licenses will be issued by all recording companies.

As BROADCASTING went to press WNEW executives and attorneys were likewise studying the decision, but had come to no conclusion regarding an appeal. One attorney, who asked not to be quoted, told BROADCASTING he doubted if the station could properly make an appeal since it did not defend itself against RCA in court.

Prof. Quiz Plans

PROCTER & GAMBLE Co., Cincinnati, on Sept. 8 plans to start *Professor Quiz* for its Teel dentrifice on a coast-to-coast CBS network. Program will be heard weekly from 7:30-8 p. m. (EDST), but stations have not yet been determined. It is understood that *Professor Quiz*, discontinued July 22 by Noxzema Chemical Co., will be heard on CBS as a sustaining program until Sept. 8. H. W. Kastor & Sons, Chicago, handles the account.

If It's Coverage You Want—



We've Got It!

•

Announcing

The New

KWFT

Wichita Falls • Texas

"The Texas-Oklahoma Station"

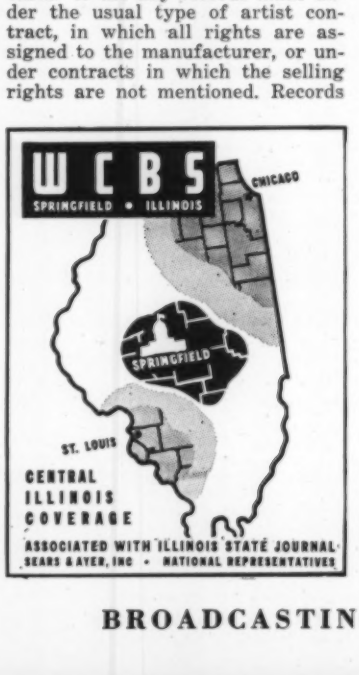
Covering the Great Texas Panhandle
and
Southern Oklahoma

Day Coverage: 2,384,000 Population
Night Coverage: 684,000 Population

Affiliated with
COLUMBIA BROADCASTING SYSTEM

1,000 Watts Day 620 Kc. 250 Watts Night

PAUL H. RAYMER CO., *National Representatives*



Facilities Granted To Dozen Stations

Fulltime and Power Boosts Are Authorized by FCC

IMPROVED facilities, including fulltime and power boosts, were authorized for about a dozen stations during the FCC's sessions of July 27 and 28. Most of the grants were made without previous hearing, although the Commission also disposed of several cases on which hearings had been held.

WILM, Wilmington, Del., and WAZL, Hazleton, Pa., both of the Mason-Dixon Group, and both 100 watters which have operated simultaneously daytime on 1420 kc. but shared time nights, were authorized to operate fulltime.

WFBG, Altoona, Pa., operating with 100 watts on 1310 kc. and sharing with WJAC, Johnstown, was granted fulltime, WJAC having won a similar grant earlier in the month. KTEM, Temple, Tex., secured fulltime on 1370 kc., with 100 watts night and 250 day, having formerly used 250 watts daytime only. WOLS, Florence, S. C., secured 100 watts on 1200 kc. in lieu of daytime operation only, a rival application (Pee Dee Bcstg. Co.) for similar facilities having been denied. In each of these cases the Commission made final its previous findings.

Two Get Fulltime

WJBO, Baton Rouge, La., which formerly signed off for one hour Monday nights, secured fulltime, as did KRLH, Midland, Tex., formerly operating daytime only with 100 watts on 1420 kc.

Power boosts were won by KMJ, Fresno, Cal., granted 5,000 watts daytime on 580 kc.; KHUB, Wastonville, Cal., granted fulltime with 250 watts day and 100 night on 1310 kc. instead of daytime only; WOPI, Bristol, Tenn., boosted from 100 to 250 watts day power on 1500 kc.; WKST, New Castle, Pa., granted an increase in day power from 250 to 1,000 watts on 1250 kc.; WDEV, Waterbury, Vt., boosted from 500 to 1,000 watts daytime on 550 kc.

An application of WSBT for a shift from 1360 to 930 kc. and full time, with relief from sharing with WGES, Chicago, was ordered set for hearing. An application of WGTM, Wilson, N. C., asking for 500 watts daytime on 1240 kc. in lieu of its present 100 watts daytime on 1310 kc., was denied.

In proposed findings, which are subject to later ratification, the Commission approved an application of KRSC, Seattle, to increase from 250 to 1,000 watts on 1120 kc., and disapproved an application of Sherman C. Amsden, doing business as Doctor's Telephone Service, seeking an emergency shortwave station to operate with 500 watts on 31,180 kc.

Nesbitt Fruit Test

NESBITT FRUIT PRODUCTS, Los Angeles (orange juice), thru Chas. H. Mayne Co., that city, on July 21 started for six weeks or more a local test campaign on KMJ, Fresno, Cal., using a weekly half-hour transcribed program, *Nesbitt Radio Rascals.* Similar tests are to be conducted in other territories on the West Coast.

Logan Bill and Wage-Hour Amendment May Get Last Minute Congress Action

By WALTER BROWN

AS CONGRESS swung into its pre-adjournment drive, two measures of importance to the broadcasting industry appeared to be slated for action.

The Logan Bill, providing for "the more expeditious settlement of disputes with the United States" was pending in both Houses, after the Senate first passed the measure, only to adopt a motion to reconsider it. It would set up a uniform system of procedure for the FCC and other Government administrative and quasi-judicial agencies, and clear up grounds on which appeals can be made from decisions of these agencies to the courts. A companion measure in the House has been favorably reported from committee and is awaiting action of the House itself.

Wage-Hour Measures

Wage and hour legislation came to the fore in a sudden burst of action by the House Rules and Labor committees, which reported out three measures to amend the Fair Labor Standards Act, all of which provide for adjustment of provisions relating to white-collar workers. The legislation is of importance to the broadcasting industry because of proposed exemptions relating to hours.

The Norton labor amendment exempts from the hour provision of the Act all employes making guaranteed monthly salaries of $200 or more or who are employed "in a bona fide executive, administrative, professional or local retailing capacity or in the capacity of an outside salesman." The Barton amendment would reduce the minimum exemption salary to $150 a month but specifies it shall apply only to employes not required to work any specified number of hours and notified by their employers in writing of that fact. The Ramspeck amendment contains the same provision as the Norton Bill in regard to "white-collar" employes. The rule issued by the Rules Committee on July 27 kills a proposed change in the white-collar amendment sponsored by Chairman Norton of the Labor Committee following a decision by Wage & Hour Administrator Elmer F. Andrews to reverse his stand in support of the Norton amendment. The revised Norton amendment, containing a last-minute compromise drawn up by the Labor Committee, adds the provision that no worker in the white-collar classification can work more than 160 hours a month.

With adjournment expected by mid-August at the latest, it appeared that the Wheeler Bill, for reorganization of the FCC, the Johnson Bill, banning advertising of alcoholic beverages, including beer, from the air, and the Chavez Bill, to establish a Pan-American shortwave station, Government-owned, would die. The House Appropriations Committee has before it the third deficiency bill, which is expected to contain a supplemental appropriation of approximately $200,000 for the FCC. Action on this measure is expected prior to adjournment. Also apparently pigeon-holed are the Wigglesworth and Connery resolutions in the House, and the White resolution in the Senate, seeking an investigation of the FCC and the industry.

Results of Omar Survey In Midwest Made Public

TABULATION of over 98,000 coincidental personal interviews on radio audiences in the Milwaukee, Columbus, Indianapolis and Omaha trading areas has been completed by K. B. Arrington, advertising manager and director of market research of Omar Inc., Omaha (flour and cereal), long a radio sponsor and a proponent of a national radio audit bureau. Interviews were made by 700 house-to-house salesmen of the bakery division of the company, completing the survey within a five-day period in each market. Results have been tabulated by days and by hourly intervals and divided by town and country areas.

Chief feature of the survey is the "almost perfect" sampling of each area obtained by interviewing Omar customers, for a consumer census completed in December showed an average correlation between Omar customers and total population of 97.4% with respect to age, occupation, status of employment and economic groups as determined by house rentals. Both telephone and non-telephone homes were interviewed. The survey was made by Omar Inc. for its own guidance in station and time selections, but has been released to leading stations "in the interest of factual and unbiased station coverage information".

KEHE Facilities Taken Over by KECA July 31; San Diego Deal Dropped

ACTIONS by the FCC July 27 cleared the way for the taking over of KEHE, Hearst Radio station in Los Angeles, by Earle C. Anthony whose purchase of the station for $400,000 was approved last June 21 [BROADCASTING, July 1]. It was reported by counsel for Anthony that the station would be occupied July 31 when Anthony's KECA is abandoned in conformity with the grant. It is planned to change the call letters for KEHE to KECA as soon as FCC approval is secured.

KEHE operates fulltime with 1,000 watts night and 5,000 day on 780 kc. KECA operated with the same power on 1430 kc., which frequency is now abandoned, the Commission having denied permission to move it into San Diego for a new station to be built by Warren B. Worcester. Mr. Anthony, who also owns KFI, will move the operations of both his stations into the studio plant of KEHE.

Mr. Worcester having been denied authority to purchase the KECA facilities for $97,000, has been authorized by the Commission to file a new application for them in San Diego. His application thus becomes a new proceeding.

The Commission on July 27 dismissed petitions of the American Communications Association, labor union, for a rehearing of the KECA transfer grant. The union opposed it on employment grounds.

The Northwest's Best Broadcasting Buy

WTCN

AN NBC STATION

MINNEAPOLIS ST. PAUL

Owned and Operated by MINNEAPOLIS TRIBUNE AND ST. PAUL DISPATCH-PIONEER PRESS

FREE & PETERS, INC. — Natl. Rep.

10,000 SOAP BOXES!

The combined influence of 10,000 soap box orators could not offer you the sales power available here at WAIR. They listen! They believe! They BUY!

WAIR

Winston-Salem, North Carolina

National Representatives

Sears & Ayer

In Omaha

Advertisers get quick results from

KOIL

where every program is backed by a tested, 7 POINT PLUS MERCHANDISING PLAN . . . where 201,430 radio homes tune to this

Basic Columbia Outlet

for the outstanding programs in this rich trading area.

For an Outstanding Job, it's

KOIL-OMAHA

Rep. by The Katz Agency

Firm to Sell Spot News To Theatres Is Formed

THEATRE Communications, a new company which will supply spot news to movie theatres for projection on the screen, either as a sustaining or a sponsored feature, has been organized by Paul J. Davis, formerly in the magazine and newspaper field. Offices have been opened at 2 Park Ave., New York, and the company expects to begin its service about Sept. 1. News bulletins, limited to a minute-and-a-half and specially edited for screen presentation, will be furnished several times daily by Transradio Press, through central distributing points.

To avoid arousing press antagonism the bulletins will follow radio precedent and end with the words: "For further details consult your local newspaper." If the news bulletins are put on without advertising, the theatre management will pay for the service, or it may be received without charge in exchange for presenting the news under the sponsorship of an advertiser sold by Theatre Communications.

Star Radio Signs

STAR RADIO PROGRAMS Inc., New York, reports as new subscribers KFPW, KFDM, WATL, WFTC, WTEL, WISN and WSJS, all signed at the recent NAB convention in Atlantic City. Since then, KPMC, CKLN, KVOR, KHFG, WJNO, KWFT, and WFAS have signed for the script syndicate's service. Bill Gartland, sales manager, also announces that a deal for special programs has been made with B. Charles-Dean Co., London.

THOMAS LANGAN, of NBC's script division in New York, is the author of *Romance of the Railroads*, one hour historical program carried on NBC-Blue July 28 and based on data supplied by the Association of American Railroads.

KFRU

●

COLUMBIA, MISSOURI

A kilowatt of power on 630 kc. daytime with 500 watts at night.

A Sales Message over KFRU Covers the Heart of Missouri

●

GREETINGS from donor to donee pass as James D. Shouse, vice-president of the Crosley Corp. in charge of broadcasting, and George C. Biggar, WLW rural program supervisor (both at left), congratulate the two winners of the 1939 WLW Scholarships in practical radio training, Merton V. Emmert, Kansas State College graduate, and Charles Grissom, graduate of Alabama Polytechnic Institute [BROADCASTING, June 15]. The two scholarships provide six months training in all phases of radio work and $500 in cash each.

Radio AND Education

INVITING a score of well-known educators throughout the United States KSTP, St. Paul, has completed plans for the third annual KSTP Conference on Educational Broadcasting, Nov. 10-11. The conference idea, originated in 1937 by Thomas D. Rishworth, KSTP educational director, already has been responsible for establishing 13 radio workshops in schools in the Twin City area, according to the station.

CAPITOL RADIO Engineering Institute, Washington, resident school for practical radio engineering training, announces a course in television, covering every phase from Iconoscope camera to receiver, and has issued a new 48-page booklet outlining its 1939-40 courses which is available upon request.

A PIONEERING venture in education via radio is being mapped out in conferences at the University of Arizona by Harry Behn, radio director, and managers of Arizona stations. A series of programs emanating from the university for statewide broadcast is planned, forming a "college of the air" along extension division lines. Meeting at Tucson with Behn are Fred A. Palmer, manager of the Arizona Network and KOY, Phoenix; Dow Ben Roush, manager of KTUC, Tucson; Carl Morris, manager of KSUN, Bisbee-Douglas; John Merino, manager of KGLU, Safford, all units of the Arizona Network; Dick Heath, commercial manager of KTAR, Phoenix, and Bud Williams, manager of KVOA, Tucson.

DR. HARRY F. OLSON, director of acoustical research for RCA, has been appointed to the teaching staff of Columbia University, New York, to inaugurate new studies in electrical acoustics, according to an announcement July 25 by Dr. Nicholas Murray Butler, president of the university. Dr. Olson, who has been with RCA since 1928, when he received the degree of Doctor of Philosophy from the University of Iowa, will attempt to improve the quality of sound reproduction in radio and motion pictures with the aid of a staff of engineers, in addition to teaching the 25-week course at Columbia.

MORE THAN 50 radio students of Northwestern U attended a demonstration of radio technique at WBBM, Chicago, July 28 given under the supervision of Stan Thompson, assistant program director. "Play Selection and Production" was discussed by Joe Ainley, radio director of Aubrey, Moore & Wallace, Chicago agency. Radio production was discussed by Al Chance and Les Mitchell, of the WBBM production staff. The students watched rehearsals of *History in the Making* and *Gateway to Hollywood Summer Theatre*.

WINNERS of the *Atlanta Journal School of the Air* scholarships, given a trip to New York and Washington as part of their reward, were greeted by FCC Commissioners Craven, Thompson and Brown as they visited FCC headquarters July 7. At Radio City they were greeted by NBC President Lohr and his staff. They were accompanied by Louis T. Rigdon, director of the WSB school broadcasts in which primary and secondary schools of the State participate.

LYMAN BRYSON, head of the CBS Adult Education Board, on July 26 presided as chairman of a CBS *People's Platform* program in which three educators and a businessman discussed "How Can We Educate for Democracy". The program served as a preview of the Congress on Education for Democracy, which convenes Aug. 15-17 at Teachers College, Columbia U.

TEACHING literature by radio is the aim of the new educational series, *Masterpieces of Literature*, broadcast weekly on WOV, New York, in cooperation with the WPA New York City Office of Radio Production, and featuring half-hour dramatizations of works of noted American authors. A description of each story and its author and questionnaires on the work are supplied in Italian for listeners. The program supplements the work of the *Little Schoolhouse of the Air*, heard daily on WOV, with the assistance of the Adult Education Program of the Board of Education.

Kaltenborn to Fly Ocean For Three-Week Series From European Centers

H. V. KALTENBORN, CBS news analyst sponsored Sunday and Tuesday evenings on 39 CBS stations by Pure Oil Co., will fly to Europe Aug. 9 aboard the Trans-Atlantic *Clipper* for a three-week coverage of important European news centers and personalities. His twice-weekly series for Pure Oil will originate in the British Broadcasting Co. studios through Aug. 29.

It is understood that on his return the program will be expanded to a Monday, Wednesday, Friday series on an enlarged list of CBS stations. Between his London broadcasts, Mr. Kaltenborn will fly to Paris, Berlin, Geneva, Brussels, The Hague, Warsaw, and other capitals for first-hand information on European conditions. In event that he cannot return to London for each of his six European broadcasts, Mr. Kaltenborn will air his newscasts from Paris or some other continental city.

For the European series of *Kaltenborn Edits the News*, the 39-station CBS network will be enlarged by the following additions and sponsored by Pure Oil Co.: WEEI, Boston; WABC, New York; WCAU, Philadelphia; WJSV, Washington; WCAO, Baltimore; WJR, Detroit; WJAS, Pittsburgh; WWL, New Orleans; KTRH, Houston. Leo Burnett Co., Chicago, handles the account.

Rainbow Tribute

NO TEA PARTY was the *Champagne Hour* broadcast by WKY, Oklahoma City, July 17, but a dramatization of the story of the famed Rainbow Division's greatest success in France during the Great War, the Battle of Champagne. Prepared by Jim Cox, lieutenant in the U. S. Army reserve corps, the show incorporated poetry of Joyce Kilmer, Rainbow Division poet who fell in the war, and special organ music scored by Allan Clark, WKY musical director, and played by Ken Wright. Transcriptions will be dubbed off the recording of the program for free distribution to 42d Division chapters requesting them.

THE *Richfield Reporter*, oldest Pacific network news feature, handled six nights weekly by John Wald and Ken Barton on NBC, on July 30 went on a tour of Coast cities from which it will originate until Aug. 22. Talks before civic clubs are planned during the tour.

WBAL

means business in Baltimore

Problem

for Time Buyers

Take a town with complete network service on three stations. Call them stations Blue, Red and Green. Take all of the listeners to the three network stations as 100% of the audience. Suppose at a given time a quarter hour on each station costs $50 on Blue, $50 on Red and $100 on Green. Then Blue should deliver 25% of the audience, Red 25% and Green 50%. Isn't this a way to determine whether or not you are getting what you pay for? St. Louis KWK submits itself to this analysis. Write for the booklet, "It's About Time". Now in the Third Edition, requests for it are received daily. Pd. Adv.

KFDA Completes Staff For Aug. 1 Inauguration

COMPLETION of the staff of the new KFDA, Amarillo, Tex., 100 watts on 1500 kc., which begins operation Aug. 1 as an outlet of MBS and the Texas State Network, was announced in latter July by C. S. Gooch, president and manager, and Gilmore N. Nunn, vice-president, who with his father owns WLAP, Lexington, Ky., and holds an option to purchase control of WCMI, Ashland, Ky.

Mr. Nunn

Ultra-modern in every respect, the station is equipped with RCA apparatus throughout and a 182-foot Truscon steel radiator. Its modernistic building is located in downtown Amarillo. Don C. Robbins, formerly San Francisco manager of the Walter Biddick Co., is commercial manager; Earl Rodell Strandberg, formerly chief announcer of KLRA, Little Rock, program director; Ralph Cannon, recently with WBOW, Terre Haute, chief engineer; David Clark, formerly with KOA, Denver and KGNC, Amarillo, continuity editor; William Kilmer, formerly of KGKO, Fort Worth, and Winfred Wileman, formerly of KASA, Elk City, Okla., announcers.

New Texas Station

SHARING time with WTAW, Texas A. & M. College outlet at College Station, Tex., the new KTBC, Austin, Tex., was scheduled to begin operating Aug. 1, using 1,000 watts on 1120 kc. Its manager is R. C. Watts and chief engineer is Harry Slife. Authorized in 1937, construction of the station was held up when the college protested the grant giving KTBC the time not used by WTAW, which operates only a few hours daily. The FCC last Jan. 3 reaffirmed the grant to State Capitol Broadcasting Assn., in which the principals are R. B. Anderson, president of the State Tax Commission; A. W. Walker Jr., professor of law at the University of Texas, and R. A. Stuart, Fort Worth attorney.

THEY'RE TUNING IN WATL IN ATLANTA

IT'S A HABIT

Atlanta listens to WATL Newscasts. Broadcast every hour on the hour. Available for sponsorship.

WATL ATLANTA

Wheeler Heads Drive on ASCAP

(*Continued from Page 18*)

terested himself in the litigation, and on July 19 conferred with Neville Miller, NAB president, Phil Loucks, former NAB managing director and Washington radio attorney, and Ed Craney, general manager of KGIR, Butte, who has been active in seeking revision of both the copyright law and of performing rights contracts with ASCAP.

Whereas the anti-trust suit appeared to be headed for dismissal during recent months, Senator Wheeler's intercession has had the effect of reviving Government interest in the proceeding. The course to be pursued will await a study of the record by Mr. Cooper and his recommendations to the Attorney General.

The Government suit was filed in 1934 and went to trial in New York before Federal Judge Henry W. Goddard on June 10, 1935. After ten days, the trial was adjourned with the understanding that ASCAP and the Government would stipulate the facts before a new hearing. Little progress, however, was made on the stipulation and the case has been dormant since.

Officially, the Department's attitude has been that because of lack of personnel, the ASCAP suit has been inactive. In assigning Mr. Cooper to the case, the Attorney General instructed him to make a complete study and bring it up-to-date in the light of the four-year hiatus. Mr. Cooper is devoting his full time to review of the proceedings and is expected to make his recommendations within a month.

Senator Wheeler started things July 12 when he held an informal conference in his office with Gene Buck, ASCAP president, Louis D. Frolich, ASCAP counsel, and Messrs. Craney and Loucks [BROADCASTING, July 15]. At that time the Senator made it clear that he opposed the blanket form of percentage payment on gross revenue of stations and that clearance at the source and payment on a per-program basis appeared to be the equitable course.

Hopes for Agreement

In introducing his "clearance at the source" bill, the Senator said that sentiment in Congress favored amendment of the Copyright Act because it is outmoded insofar as broadcasting is concerned. He also made mention of the Government suit against ASCAP and urged action one way or the other.

Senator Wheeler followed up his conference with the ASCAP officials on July 17, when he dined with Messrs. Miller, Craney and Loucks, and Frank M. Russell, NBC Washington vice-president, and Harry C. Butcher, CBS Washington vice-president. He restated his view regarding clearance at the source, pointing out that in his view assumption of liability for infringement must be with the originating station. He expressed the hope that the industry would come to an agreement on this point without controversy or a split in network affiliated station ranks.

Further pursuing the Government case, Messrs. Miller, Craney and Loucks on July 19 conferred with Assistant Attorney General Arnold and Special Assistant Cooper. The background of the case was covered. Brought into the conversation also was possible action by Congress on the O'Mahoney Bill, offered by the chairman of the Federal Monopoly Committee to revise remedial sections of the anti-trust laws. Such a move, it was felt, might have a definite bearing on the ASCAP litigation.

Conference With Bone

On July 20, the day before Senator Wheeler introduced his proposed amendment to the copyright law, Messrs. Craney and Loucks conferred with Chairman Bone of the Senate Patents Committee. Earlier in the session, Senator Bone advocated passage of the bill introduced in preceding sessions by former Senator Duffy of Wisconsin to rewrite the Copyright Act and eliminate the statutory minimum infringement requirement of $250. This bill now is being redrafted by a group of copyright experts in New York, it was understood, and probably will not be introduced until the next session.

The purpose of the original conference called by Senator Wheeler with the ASCAP officials was to discuss the Montana situation, particularly in the light of pending actions against ASCAP in that State. Mr. Loucks appeared as counsel for KFBB, Great Falls, a regular client and not as special counsel for the NAB, in which capacity he has served on several occasions since his retirement from the NAB managing directorship. When Mr. Buck, at the outset of the conference, asserted there would be only one uniform form of contract for radio, the discussion of necessity then covered the entire industry picture.

Payments Spurned

Despite comments attributed to Mr. Buck following the Wheeler conferences, it was observed that ASCAP has steadfastly refused to accept payments from Montana stations in the light of the State's anti-ASCAP law. Only 60 days ago ASCAP began billing stations in the State for back royalties. In that connection, it was pointed out that Montana stations, under the recent temporary injunction granted by the court in Missoula County are prevented from making payments to ASCAP and ASCAP in turn is prevented from making any collections in the State.

Mr. Craney repeatedly has stated that Montana broadcasters always have been willing to pay royalties on what music they use, but that they have openly resented the ASCAP contract provisions under which royalties are paid on the basis of 5% of gross income rather than on ASCAP music used.

Countering Mr. Buck's allegation in the Wheeler conferences that Montana broadcasters have been "robbing my people", it was reported that the six stations in the State pay an average of only $10,000 a year to the Society. The stations, and more particularly Mr. Craney's KGIR, have spent many times that amount in trying to rectify what they construe to be an improper contract, it was pointed out.

Wheeler Denies Imputations

Senator Wheeler was indignant over statements ascribed to him in Tin Pan Alley circles that Mr. Craney had influenced him in the ASCAP matter and was trying to procure a preferential deal. The Senator stated flatly that he was convinced that a change in the copyright laws, now more than a quarter-century old, is necessary in order to correct inequities which have become glaring since the advent of broadcasting. He stated also that he felt clearance of music at the source is a necessary requirement if there is to be amicable solution of the copyright problem.

$\frac{1}{3}$ BILLION

is Kansas' estimated 1939 income from farms alone. Major market of the great Kansas buying wealth is

WICHITA KFH That SELLING STATION FOR KANSAS

Call Edward Petry & Co.

It's Rodeo Time in the West!

It's *always* "rodeo time" for KDYL advertisers. They rope in the business all year round, because KDYL, like a good rodeo, puts on a good show that wins and holds listeners.

Showmanship does *it. That's the* KDYL way!

5,000 WATTS daytimes 1,000 WATTS night

KDYL

The Popular Station SALT LAKE CITY

NBC RED NETWORK

Representative: John Blair & Co.

Radio Set Query In Sample Census

A SINGLE radio question, *"Does this household have a radio set?"*, has been included in the supplementary census schedule to be tested in mid-August when the Census Bureau conducts a special trial census in two Indiana counties, St. Joseph and Marshall [BROADCASTING, April 15, June 15, July 1]. The supplementary schedule will be tested simultaneously with the proposed regular schedule in the two-county survey, to start Aug. 15.

The special census, first of its kind ever undertaken, is designed primarily to test questions on the proposed schedules, according to Census Bureau officials, and although results will be compiled and made public later, the general interest in the figures will be only temporary, since the territory will be covered again during the general population census in 1940. Final selection of the questions to be asked in the general census will not be made until the results of the special census have been analyzed and appraised, Secretary of Commerce Hopkins said in announcing the plans.

Every tenth family, after answering the regular special population census questions, will be listed on the supplementary schedule in the two-county survey. If a supplementary schedule is used in the regular census next year, which appears virtually certain, every 25th family will be enumerated, according to present plans, said Secretary Hopkins. In addition to the radio question, the supplementary schedule at present includes "convenience" questions covering running water and electrical service.

Policyholder Is Refused Restraint of Met. Life

JUSTICE Steinbrink of Brooklyn Supreme Court on July 26 handed down a written decision denying the application of Lawrence Shay, policyholder of Metropolitan Life Insurance Co., for a temporary injunction to restrain Metropolitan from continuing its Edwin C. Hill broadcasts on MBS, WNEW, and WHN, New York. Action was brought by Mr. Shay, who contended that the expenditure of $10,000 weekly for the program was "excessive" and that the money should be used to reduce policy premiums.

Justice Benvenga in New York Supreme Court on July 26 granted the application of the Knickerbocker Broadcasting Corp., New York, operator of WMCA, to include Donald Besdine and Morris H. Siegel as additional defendants in the $550,000 libel suit filed against the station by the Metropolitan Life Insurance Co. The insurance company's suit claims that libelous statements were made over a year's period during programs broadcast on WMCA by Besdine and Siegel, although names of the two were not cited in the suit.

KELLY-SMITH Co., New York, has been appointed national representative for WCOP, Boston, and WNBC, New Britain. In addition to representing the stations individually, Kelly-Smith is offering them as a three-station hookup in combination with WELI, New Haven. WELI is individually represented by Gene Furgason.

Increased Volume of Net Expenditures Shown for Half-Year by 11 Industries

RADIO advertiser expenditures on all four coast-to-coast networks advanced from $37,948,411 in the first six months of 1938 to $41,176,150 during the same period this year, a gain of 8.5%. Analysis of the combined billings of NBC, CBS and MBS by industries reveals the following totals for each industry, together with each industry's percentage of the six-month volume for 1938 and 1939.

	1939	*% of 1939 Total*	*1938*	*% of 1938 Total*
Automotive	$ 1,950,109	4.74	$ 2,770,552	7.30
Building Materials	134,205	.33	101,074	.27
Cigars, Cigarettes, Tobacco	5,193,552	12.61	4,269,970	11.25
Clothing, Dry Goods	152,724	.37	58,862	.16
Confectionery, Soft Drinks	1,046,782	2.54	1,405,651	3.70
Drugs	11,267,164	27.36	9,839,152	25.93
Financial, Insurance	413,779	1.0	248,430	.65
Foods	12,585,835	30.57	11,466,796	30.22
Garden & Field			2,236	.006
House Furniture	248,604	.60	479,990	1.26
Jewlery & Silverware	145,164	.35		
Lubricants	2,102,543	5.11	1,578,448	4.16
Machinery	327		186,749	.49
Paints	201,926	.49	137,109	.36
Radios, etc.	476,948	1.16	644,142	1.70
Schools			7,272	.02
Shoes	84,307	.20	122,932	.32
Soap & House Supplies	4,618,242	11.22	3,850,954	10.15
Stationery & Publishers	213,688	.52	261,009	.69
Travel, Hotels	34,534	.08	26,836	.07
Wines & Beers	5,028	.01	179,205	.47
Miscellaneous	300,689	.73	311,042	.82
	$41,176,150		$37,948,411	

Late Personal and News Notes

GEORGE W. HENYAN, for the last nine years sales manager of the radio department of General Electric Co. at Schenectady, has been named manager of the transmitter and tube sales divisions of the company's recently organized radio and television department according to Dr. W. R. G. Baker, department manager. Mr. Henyan, a 1916 graduate of the University of Texas who entered the GE test department that year, will continue to headquarter in Schenectady.

W. H. VANDERPLOEG, former vice-president of the Harris Trust & Savings Bank, Chicago, has been named executive vice-president and general manager of the Kellogg Co., Battle Creek, Mich. A director of the firm since 1937, Mr. Vanderploeg has been an executive representative of the Kellogg board since April, 1939. He is a native of Pella, Ia.

LESLIE S. GILLETTE, for nine years advertising and sales promotion manager of U. S. Industrial Alcohol Co., New York, has been appointed executive vice-president of Hazard Adv. Corp., New York, effective Aug. 1.

HAROLD S. SCHULER, formerly a division manager of the apparatus advertising department of Westinghouse E. & M. Co. at East Pittsburgh, Pa., has been named Pacific Coast district sales promotion manager of the company. He succeeds Earl W. Nilsson, resigned.

SHIRLEY SNYDER, 16-year-old daughter of Glenn Snyder, manager of WLS, Chicago, will make her debut as a dancer at the Illinois State Fair, Aug. 14. Miss Snyder is a member of a Chicago stage unit now on tour.

JOSEPH W. PEPPER Jr., formerly of NBC's traffic department, has joined the sales division of the network's transcription department. E. William Young has been transferred from the Chicago to the New York transcription sales staff.

SARAH ROLLITS, who formerly conducted a literary agency, joins Columbia Artists Service July 31 to manage the new literary playwright department.

JAMES R. CURTIS, president of KFRO, Longview, Tex. was informed immediately after the NAB convention of the death of his father, Charles R. Curtis, of Fort Worth.

JACK HASTY, formerly on the New York radio staff of McCann-Erickson, is in Hollywood for conferences with J. Walter Thompson Co. executives.

FRANK MASON, NBC director of the department of information, on Aug. 2 will fly to Europe on the *Yankee Clipper* accompanied by Mrs. Mason.

ART SPERLING of the field engineering staff of WNEW, New York, on the Earl Harper International League baseball assignment, is recuperating in General Hospital, Passaic, N. J., from an appendicitis operation.

ACA in Philadelphia

ANNOUNCING staffs of WCAU and KYW, Philadelphia, have named Broadcast Local No. 28 of American Communications Assn., CIO union, as their bargaining agent, according to Richard E. Shipp, president of the Philadelphia local. For the KYW announcers this action represents a change in affiliation, as they have for the past year-and-a-half been members of American Federation of Radio Artists, AFL union. Contract covering this group is now being prepared for submission to NBC, as KYW is programmed by the network. CIO also represents the engineering staff of KYW and has cited the station's owner, Westinghouse Electric & Mfg. Co., before the National Labor Relations Board on charges that it has refused to enter into a contract with the union. ACA is also preparing a contract covering WCAU announcers to submit to the management of that station together with a renewal contract for WCAU engineers, which is currently up for renewal, the union stated.

Royal Signs Statesmen For Talks From Europe; Toscanini to Fly Ocean

ANTHONY EDEN, Winston Churchill and other important European statesmen will discuss the international situation from Europe over NBC, John F. Royal, vice-president in charge of programs, announced July 25 on his return from Europe. While in Europe Mr. Royal also arranged for six talks by Hugh Gibson, former U. S. Ambassador to Brazil and Belgium, to be given from various points on the Continent. Eden will speak twice monthly, beginning in mid-September, and Churchill at least once a month, Mr. Royal stated, adding that he could not yet disclose the other speakers.

Offers of NBC facilities have been made to both Germany and Italy, he said, but no replies have been received from these countries. Arturo Toscanini, who will again conduct the NBC Symphony Orchestra in 16 broadcast concerts next fall and winter, will come to America by a Pan American *Clipper*, leaving Lucerne Sept. 14, Mr. Royal said. Mr. Royal flew to Europe by Clipper, returning by boat.

KIEV and WLTH Cited Under FCC Complaints

TWO unorthodox actions were taken by the FCC July 26 in citing two stations for possible punitive action. KIEV, Glendale, Cal., was granted a temporary 90-day renewal, with Commissioner Craven dissenting, because of complaints alleging it continuously broadcast phonograph records. The Commission announced it would inquire into differences between the program service promised by the station as shown in FCC hearing records and the service it actually has rendered. This may open a new type of procedure against stations.

In a second action, WLTH, Brooklyn, was cited to show cause why its license should not be revoked because of complaints of interference with Coast Guard aircraft communication in the New York area. The station, operating on the 1400 kc. channel, was declared in the Commission's citation to interfere with Coast Guard aircraft operations on 4200 kc. by its "third harmonic". Changes in the station's equipment the Commission pointed out, should be made to eliminate this interference but it said the required steps had not been taken, in spite of previous notice.

Hotels Plan Program

HOTEL ASSOCIATION of New York is considering sponsorship of a quarter-hour daily promotional program from the New York World's Fair, featuring Floyd Gibbons, on NBC-Blue. No definite plans were available when BROADCASTING went to press, but it is understood that contracts may be signed the first week in August. The program would make the 10th network program originating regularly from the Fair, some of a promotional nature, and some sponsored by regular network advertisers.

PALMER AND MULE
Trekking Eastward With a Bag of Gold Stock

WHEN Fred Palmer, manager of the Arizona Network and KOY, Phoenix, arrives in the East for a visit in August, police reserves will be needed to handle the crowds. Here's why:

Palmer went to Arizona from Columbus, O., three years ago. Being an Easterner, he always wanted to own a gold mine. So employes of the network presented him with 999 shares of the Goldenrod Min-

ing & Development Co., an asserted gold mine alleged to be located somewhere near the White Spar Region near Prescott.

Realizing that other Easterners also yearn for a gold mine, Palmer is bringing East a quantity of one-share stock certificates for his friends—as gifts.

Most important of all, Palmer proposes to call a meeting of those who become stockholders in mid-winter. The stockholders will assemble in Phoenix, search for the mine, and then conduct an official meeting in the historic Crystal Palace Saloon in Tombstone, Ariz.

Applicants for a share of the beautifully engraved and embossed stock in the Goldenrod Mining & Development Co. include Glenn Snyder, Ed Bill, Ned Midgley, Reggie Schuebel and Gale Blocki, according to Palmer, who adds that as yet he has adopted no policy about assessments.

The accompanying picture shows Prospector Palmer searching for his mine. Palmer is the one on the left.

HARRY PASCOE, chief continuity writer of WMCA, New York, is the author of "The Key to the Pronunciation of Foreign Words", a students' and announcers' handbook which goes into a second printing in August.

James L. Fly New FCC Chairman

(*Continued from page 12*)

store clerk and telephone operator in a local telephone system. He paid his way through high school by serving as a general clerk in the courts in Dallas.

In 1916, upon high school graduation, he spent three months at a Naval Academy Preparatory School at Annapolis and in 1917 was appointed to the Academy. He was graduated in 1920 as one of the most popular members of his class after having served as class secretary and having won the class debating championship and the Henry Van Dyke prize for the best essay. He was an officer in the midshipmen regiment by dint of high grades.

After serving three years in the Navy, largely on the Pacific Coast and in Hawaii, he retired in September, 1923. He had specialized in gunnery duties but at the same time had studied law, which had led to his appointment as advocate for various naval courts and boards.

Wins Recognition

Upon retirement, the 25-year-old ensign entered Harvard Law School, and won scholarships each year. He was a member of the Board of Student Advisors, a coveted honor. After two years at Harvard, and before his graduation, he passed the Massachusetts bar and was admitted to practice.

In the summer of 1924 he was employed by the Harvard Law School Association. The following summer he was a law clerk with the admiralty law firm of Burlingham, Veeder, Masten & Fearey, of New York. After being graduated in 1926, he was admitted to the New York bar and became associated with the law firm of White & Case, New York, specializing in corporate and financial practice.

Because his work with the latter firm received recognition, Mr. Fly was appointed by Attorney General Mitchell under President Hoover as special assistant to the Attorney General in connection with a number of anti-trust suits. He prosecuted successfully in 1932 the anti-trust suit against the Sugar Institute, Bolt, Nut & Rivet Manufacturing Association and the Wool Institute. He handled the Department's investigation of bread prices the same year and prosecuted one phase of the Western Grain Rate case before a Federal three-judge court in Washington State, arising out of an order of the ICC.

Mr. Fly remained with the Department after the inauguration of President Roosevelt and supervised a number of important cases which grew out of NRA, Agricultural Adjustment Act and the Oil Code. These included the 1933 cases against the Standard Oil Co. of California, dairy companies in Washington and Philadelphia and leading packing companies. He had charge of preparation of the Government case against the Weirton Steel Co. in 1934.

As counsel for TVA in 1935 he had charge of the Ashwander vs. TVA case, which resulted in a Supreme Court decision upholding the constitutionality of the TVA Act, and the validity of contracts with power companies. He was chiefly responsible for the preparations and briefs in this controversy, with John Lord O'Brian, former Assistant Attorney General, handling the court presentations.

The new FCC chairman in 1923 married Mildred Marvin Jones of San Rafael, Cal. They have two children, James Lawrence Jr., 11, and Sara Virginia, 9. He is a Protestant and a member of the Harvard Club of New York and the Seminole Club of Forest Hills, New York, where he formerly maintained his residence.

Split Sponsorship

MENNEN Co., Newark, and Bathasweet Corp., New York, through H. M. Kiesewetter Agency, New York, on Oct. 16 will sponsor the five times weekly news broadcasts by Bob Carter, head of the news bureau of KSFO, San Francisco, on 7 CBS Pacific Coast stations. Mennen will sponsor the program three nights a week for shaving cream, and two nights a week for Bathasweet. The quarter-hour program will be heard on KARM KNX KOIN KROY KSFO KVI KIRO.

Insurance Spots

NATIONAL REFUND Co., Chicago (life insurance service), has started a series of daily 100-word announcements on WJJD WGBF KMMJ KOAM WIBW WDGY KITE WEW KWTO WALR KSOO KTSA WMMN WWVA WHBL WKZO. First United Broadcasters, Chicago, handles the account.

Wayne King Returns

COLGATE - PALMOLIVE - PEET Co., Jersey City, will start Wayne King and his band on a coast-to-coast CBS network beginning Oct. 7. Show will be a weekly evening half-hour, with time and stations not determined. Product to be advertised has not yet been chosen. New series will bring King back to the air on a sponsored program after a year's absence, following a run of seven years under the sponsorship of Lady Esther Co. New program is placed through Benton & Bowles, Chicago.

WFAS, White Plains, N. Y., recently acquired by the Westchester Newspapers, on July 17 appointed Kelly-Smith Co. as its national representative.

Those who make an art of living depend on this world famed hotel as the very embodiment of gracious service, true refinement and dignified hospitality.

Under the Same Management as
The Gotham NEW YORK CITY · The Drake CHICAGO
The Evanshire EVANSTON ILL · The Town House LOS ANGELES
A. S. Kirkeby, Managing Director

The Blackstone
MICHIGAN AVENUE · CHICAGO

WWNC
ASHEVILLE, N. C.
Full Time CBS Affiliate
1,000 Watts
ADVERTISERS
Big Opportunity!
Asheville and Western Carolina—the Quality Market of the Southeast—now enters its resort season of *doubled population* . . . and *doubled business*. Sell over WWNC—the area's ONLY radio station.

ENTHUSIASM for SALE!
NBC
K·A·N·S
WICHITA KANSAS

WORSTED CENTER OF THE WORLD
WLAW covers 65 million in payrolls, 86 million in retail sales, with a 10-millivolt signal—the only primary service at uniform high level covering Lawrence-Lowell and Haverhill.
1000 W 680 Kc
Studios & Offices
Lawrence, Mass.
WLAW

Studio Notes

ATTENDANCE figures for CBS radio theaters during May and June show an increase of 46,211 over the same period last year, according to Louis Teicher, supervisor of CBS pass division, who attributes the quadrupled increase in requests for tickets to the many out-of-towners coming to visit the New York World's Fair. Attendance in May was 107,924, an increase of 16,213 over 1938, while in June 104,065 persons attended CBS radio programs, 29,998 more than last year. Total attendance was 211,989. Requests are received as far in advance as three to four months and come from all parts of the United States, Canada, England and South America.

WOV, New York, on July 20 broadcast a special memorial program commemorating the second anniversary of the death of Guglielmo Marconi, inventor of the wireless, from the Italian Pavilion at the New York World's Fair. Descriptions of the Marconi radio apparatus contained in the building were featured in addition to an address by Vice Admiral Giuseppe Cantu, commissioner general from Italy to the Fair.

WSGN, Birmingham, Ala., cooperating with the *Birmingham News & Age-Herald* and Alabama Theater, is active in helping conduct the "Miss Birmingham" contest, winner of which is to compete in the "Miss America" competition in Atlantic City. Starting with two announcements daily, with this number increasing as the contest progresses, WSGN plans special interviews with finalists in last year's contest and with the judges, and will broadcast the final judging. The station also has arranged an NBC interview with "Miss Birmingham" at Radio City, where she is to be televised.

EVERYTHING about The Gotham bespeaks gracious living—its spacious rooms, its atmosphere of good taste, its superb cuisine. Elegance is apparent..economy not forgotten.

Under the Same Management as
The Drake CHICAGO
The Blackstone CHICAGO
The Evanshire EVANSTON, ILL.
The Town House LOS ANGELES
A. S. Kirkeby, Managing Director

The Gotham
5th Ave. at 55th St. NEW YORK CITY

Crime Flashes

TO HELP nab criminals while their crimes are still hot, WSAI, Cincinnati, has arranged with the local police department to broadcast flash bulletins of public misdemeanors as soon as they are reported. By direct "emergency" wire, bulletins of murder, robbery, hit-and-run and other vital crimes, are phoned to the WSAI news room from the police station, and 25 to 50-word flashes interrupt whatever program is on the air. With 500,000 radio sets within the 60-mile area surrounding Cincinnati, within reach of two million listeners, both WSAI and police figure the general broadcasts on standard waves will be a big help in apprehending criminals.

THE radio department of the Golden Gate Exposition recently was augmented by the addition of three new members: Leonard Cox, former program director of WOR and KNX; Charles Bulotti Jr., former Don Lee producer and announcer; Dick Wynne, formerly announcer of KYA and KJBS, San Francisco. Art Linkletter, former radio director of the Exposition, now free-lancing, is doing spot broadcasts from the fair, including a Sunday afternoon MBS quarter-hour.

WDGY, Minneapolis, broadcast what it claims was the only eye-witness account of the July WPA strike riots which resulted in the deaths of a policeman and a striker recently. The Federal Sewing Project, where the disturbances took place, was only two blocks from the WDGY studios in the Hotel Nicollet. When Transradio reporters on the scene notified the station that police were preparing to disperse the pickets, WDGY operators cut in a microphone on the hotel roof, from where an announcer described the scene.

KNOW, Austin, Tex., has moved its studios to the fifth floor of the Norwood Bldg. New studios are completely modern and air-conditioned, and are RCA equipped. The date for the formal dedication and opening has not yet been set.

TO PROMOTE good fellowship among employes, the NBC Hollywood guest relations staff has started publishing a monthly four-page tabloid newspaper, *Radio City Reporter*. It contains NBC Athletic Assn. news, studio gossip and notes of general interest to members of the Hollywood staff. Harry Saz is chairman of the governing body, with Hal Bock, NBC western division publicity director, as editor-in-chief and advisor. Editors include Stan Radom, George Volger, Aubrey Ison and Bob Morris.

MEMBERS of the press department of WOR, Newark, are presenting their own *Program Preview*, a daily five-minute broadcast from 1:05 to 1:10 p.m., designed to inform listeners of programs scheduled on WOR for the next 24 hours in an informal style.

"A Blind Spot" for All Outside Stations—

IF you want to Cover Rich Central Pennsylvania

You *MUST* Use

WFBG

Altoona • Pa.

OFFICIALS of 12 stations of the Pacific Broadcasting Co., Northwest unit of Mutual-Don Lee system, held their annual mid-summer conference July 14 in studios of KMO, Tacoma, Sept. 26, marking the end of the unit's second year of operation. Carl E. Haymond, owner of KMO, Tacoma, and KIT, Yakima, and general manager of the network, expressed satisfaction with progress made last year. Attending the meeting were Marshall Rengra, KRNA, Roseburg, Ore.; Frank Hill, KORE, Eugene, Ore.; Harry Reid, KSLM, Salem, Ore.; M. F. Woodling, KWLK, Longview; Elroy McCaw, KELA, Centralia; Tom Olsen, KGY, Olympia; Harry Spence, KXRO, Aberdeen; Cole Wylie, KPQ, Wenatchee; Rogan Jones, KVOS, Bellingham; Jim Murphy, KIT, Yakima; Archie Taft, KOL, Seattle.

KOB, Albuquerque, N. M., is running sound trailers advertising its commercial programs at local theatres. The trailers picture stars of each program and give the broadcast time and name of product advertised.

WHEN an explosion in a power company manhole cut off electrical current from the Grain Exchange Bldg. and KOWH, Omaha, on the top floor, for about two hours, station engineers put KOWH back on the air within 30 minutes. Engineers Shopen and Myers were at the *World-Herald* building wiring new studios, but ran five blocks to the station and strung a line out the back window to a corner filling station. KOWH then resumed operation with Orville Weimer, news editor, describing the blowup.

ENTERTAINMENT at a dinner party given recently in honor of Eddie Cantor during the comedian's visit to St. Louis, was furnished by KMOX when station engineers recorded the last two minutes of Cantor's final program of the season and then built up a full-quarter-hour parody on the Cantor show, dubbing in impersonations by KMOX personnel. Cantor's role was enacted by Larry Kent; Guffey by Lambert Kaiman; Bert Parks and the Mad Russian by John Jacobs and Don Phillips. The special script was written by Gerald Holland, KMOX special script writer.

WHN, New York, broadcast a description of a fire July 17 at the Palace Hotel three minutes before the firemen arrived. The hotel can be seen from the WHN studios. Henry Gladstone, announcer, broke into a program of swing music to give an 11-minute description of the fire.

CELEBRATING its 1,000th consecutive commercial studio broadcast on WFAA, Dallas, July 26, *Mrs. Tucker's Smile* program, sponsored thrice-weekly by Interstate Cotton Oil Refining Co., Sherman, Tex., established itself as the oldest continuous commercial broadcast in the Southwest. The program has been broadcast thrice-weekly continuously since Feb. 13, 1933, on WFAA, and on the Texas Quality Network since June 5, 1939.

SUN OIL Co., Philadelphia (Sunoco gas and oil), is presenting three fellow adventurers and explorers in place of Lowell Thomas on the daily NBC-Blue newscasts, while Thomas takes his first vacation from radio in eight years. Col. Theodore Roosevelt is heard Mondays and Tuesdays, Dr. Roy Chapman Andrews on Wednesdays and Thursdays, and Sir Hubert Wilkins on Fridays, all on the regular program from 6:45 to 7 p.m. Roche, Williams, & Cunnyngham, Chicago, handles the account.

SIXTH anniversary on the air of Joe Emerson and his *Hymns of All Churches* was celebrated July 31. Starting on WLW, Cincinnati, in 1934, the thrice-weekly program is presently on the NBC-Red network. The first commercially-sponsored program of hymns, the series continues under sponsorship of General Mills (Kitchen Tested flour).

WOAI, San Antonio, is now using both United Press and International News Service for newscasts.

CAMPAIGN of caution against a threatened smallpox epidemic was highlighted on WHEC, Rochester, when announcers turned guinea pig, stood before the mike and described the process and their sensations as they were vaccinated on the spot. Observing the concern of Announcer Ken French (center) are Dr. J. Sumter Cunningham (left), district state health officer, and Dr. Harry C. Hummell, deputy city health officer.

CFAC, Calgary, Alta., as its exhibit at the annual Calgary Stampede celebration held July 10-15, installed and operated a special studio in the grandstand. In addition to giving spectators an opportunity to watch actual radio production, CFAC also displayed products advertised on the station and exhibited the gold-plated microphone used by the King and Queen of England during their recent American visit.

TRAINING school in radio, similar to those in Hollywood and New York and open to all members of the NBC San Francisco staff, will start September 11, Lloyd E. Yoder, NBC manager in San Francisco, announced recently. Jennings Pierce, NBC western division director of Agriculture, is arranging the classes, which will be inaugurated as a weekly forum in all fields of radio. Held every Monday evening from 6 to 7 o'clock, the classes will consist at the beginning of informal discussions by department heads in NBC San Francisco headquarters of the work and requirements of each department.

IN ADDITION to regular studio assignments, most of the staff of KITE, Kansas City, in mid-July participated in a television demonstration staged by First National Television Inc. at the Katz Drug Co.'s "world's largest drugstore". The demonstration used RCA television receiver and camera and equipment of W9XAL. The video crew went to St. Louis after the three-day Katz demonstration for a Stromberg-Carlson dealer show, with R. C. Kent in charge of the engineering detail.

THE KPO-KGO Athletic Assn., in San Francisco, will hold its first outing Aug. 12. Jennings Pierce is chairman of the organizing committee.

JOHN PATT, manager of WGAR, Cleveland, was host to the WGAR staff members and their families at a picnic late in July which included a golf tournament, baseball game between the program and engineering departments, and games and entertainment.

WNEW, New York, on July 19 announced that an approximate 20% increase in the station's time rates would become effective Sept. 15. According to Bernice Judis, general manager, the rate rise is due to increases in the WNEW primary service area and extension of the secondary area through the recent power increase to 5,000 watts authorized by the FCC last Feb. 5.

KFRU, Columbia, Mo., presented a silver loving cup to the winner of Missouri's first state-wide model plane contest, staged at the Columbia Municipal Airport July 16. The trophy and winning model will be on display at the Missouri Bldg. at the New York World's Fair Aug. 10. The contest was sponsored by the Missouri State Junior Chamber of Commerce in cooperation with KFRU and the National Aeronautical Assn.

Insecticide Test

VENZAMER ROTENONE Corp., New York, has appointed Redfield-Johnstone, New York, to direct the advertising of their insecticide Venro, a repellent for Japanese beetles. A seasonal campaign of 30 spot announcements weekly was started July 24 on WAAT, Jersey City, which, if successful, will be used during the same season next summer.

AFTER denying WHDH, Boston daytime station on 830 kc., special experimental authority to operate fulltime on that frequency with 5,000 watts, the FCC on July 27 ordered that the hearing on the WHDH application for 5,000 watts fulltime on a regular basis be set for Oct. 10.

GOSHEN MILE TRACK Assn., N. Y., is using announcements on WNEW, New York, July 31 to Aug. 7, to advertise the Hambletonian Stakes Race Aug. 9, placed direct.

Rescue Thriller

EDWARD R. SAMMIS, chief of the magazine division of CBS, featured in a thrilling rescue on July 22 when the 18-foot sailboat he was sailing on Peconic Bay ran into a gale and capsized. Mrs. Sammis and Mrs. Robert M. Daley, who accompanied him, were unable to swim, so Mrs. Elizabeth R. Mason, a third passenger, was forced to swim the mile and a half to shore, while Mr. Sammis helped his wife and guest cling to the hull of the boat. An hour-and-a-half elapsed before Mrs. Mason arrived at Southold, Long Island, and boats were sent out to the rescue.

Two Gen. Mills Strips

GENERAL MILLS, Minneapolis, in early October will start two quarter-hour script shows across-the-board on 30 CBS stations. It is understood that the time will be 5-5:30 p.m. (EST) and that the *Caroline's Golden Store* serial for Gold Medal flour will be shifted from NBC. Blackett-Sample-Hummert, Chicago, is agency.

Grove on Blue

GROVE LABORATORIES, St. Louis (Bromo-Quinine), on Oct. 2 will start *Sherlock Holmes*, featuring Basil Rathbone and originating in Hollywood, on a coast-to-coast NBC-Blue network, Mondays, 8-8:30 p.m. (EST). The show, written by Edith Meiser, will be produced by Tom McNight. Stack-Goble, Chicago, is the agency.

STATION EXECUTIVE AVAILABLE

With 12 years successful record as General Manager in the development and operation of popular radio station. Capable, from past experience, of direct supervision of all departments of broadcasting activities.

Possessed of financial and agency background, with wide acquaintance in national field. Would welcome investment.

Address Box A379
BROADCASTING

CLASSIFIED ADVERTISEMENTS

Help Wanted and Situations Wanted, 7c per word. All other classifications, 12c per word. Minimum charge $1.00. Payable in advance. Count three words for box address. Forms close 25th and 10th of month preceding issues.

Help Wanted

National Radio Employment Bureau wants experienced salesmen, announcers, operators and other employes, except talent. Complete information free. Paramount Distributors. Box 864, Denver, Colorado.

Situations Wanted

Experienced Announcer-Continuity Writer. Four years on mike. Do football and baseball descriptions. Box A442, BROADCASTING.

Announcer—single, varied experience, liberal education—desires position with opportunity. Recording Audition. Box A429, BROADCASTING.

Sports Announcer—Valuable sports background. Handle studio utility. References. Recordings available .Box A443, BROADCASTING.

Program Director-Announcer. Experienced. Now Employed. Capable—Energetic. Go Anywhere. Box A441, BROADCASTING.

Experienced Engineer Available—Now employed in major network station, but desires better opportunity. Prefer metropolitan station. Address Box A445, BROADCASTING.

Attention Radio Academies & Stations! Instructor—speech, announcing, dramatics, programming. Studio-announcerial duties. Box A444, BROADCASTING.

Ten years network and agency experience. Programming, production, writing, newscasting, sportscasting. Will go anywhere. Box A436, BROADCASTING.

Continuity writer. Turns out polished work fast. College degree. Network experience. Employed. Excellent references. Box A431, BROADCASTING.

Experienced time salesman, now employed, desires change. Successful record in New York, Pennsylvania, Connecticut. References. Available at once. Box A448, BROADCASTING.

Young college graduate with newspaper experience, anxious to enter radio as continuity writer or do publicity or promotion work. Willing to go anywhere. Excellent references. Box A428, BROADCASTING.

Sports and special events announcer, six years radio, four years present network station, seeks new location in fall. Fully experienced play-by-play all sports; sport commentary. Conducted highly successful man-in-street type shows. College man, athlete, non-drinker. Box A438, BROADCASTING.

Announcer with five years experience desires change. Last two years with 50kw NBC station. Is licensed operator with transmitter experience. References. Recording available. Box A437, care BROADCASTING.

Two experienced men—announcers—actors—salesmen—one writer—skilled in production and programming—have appeared on major networks—impressive references. Go anywhere. Put opportunity ahead of salary. Box A434, BROADCASTING.

Situations Wanted (Cont'd.)

Advertising Manager daily newspaper desires to enter commercial department small station. Box A439, BROADCASTING.

Program ideas that sell. Experienced New York network — Independent producer-announcer seeks showmanship station affiliation. Excellent background. Pay own fare toward interview. Box A440, BROADCASTING.

Are you looking for a good salesman or salesmanager? Have twelve successful years of selling advertising and working with salesmen. Outstanding sales record on local, regional, and 50 kw. Employed now and doing good job, but prefer to change. Box A449, BROADCASTING.

Program and production man. Ten years experience in local and network broadcasting. Can write, produce and announce shows that will sell merchandise. Experienced in station administration and general executive duties. Married. Desires connection with progressive station. Box A447, BROADCASTING.

News! Thoroughly experienced newscaster, editor, commentator. Background advertising, travel. Now employed, seeking better opportunity. Ten years in radio. Can also handle interviews, special features, continuity. Transcription available. Box A446, BROADCASTING.

Nationally-Known Lecturer, Fellow Royal Geographical Society (London), World Traveller, seeks position announcer or news commentator leading progressive station. Formerly managed large station leading British Dominion; editorial writer British and American publications. Widely travelled all continents. Extensive broadcasting experience. Available September. Box A435, BROADCASTING.

Station Executive and Chief Engineer. Ten years experience with well rounded background in Sales, Production, Engineering and general station management. Will consider assistant manager's job or chief engineer of regional station. Now employed but good reasons for changing. Furnish good references. Box, A433, BROADCASTING.

Independent Station, Attention — Capable young woman with thorough background both Chicago network and independent stations, both as artist and executive, desires position in sales or merchandising. Can write productive sales copy; plan and produce merchandising campaigns; willing to double as talent (contralto with light opera experience). Best of references. Go anywhere. Box A430, BROADCASTING.

Sales, Program-Production Manager: Experienced national and local accounts. Formerly with newspaper, advertising agency, now employed Eastern network, knows virtually every field broadcasting industry including engineering, transcription. Former radio manager for several Hollywood big names, has complete professional recording facilities to place at service of employer for better managed production department, available two weeks notice, references. Box A427, BROADCASTING.

PROFESSIONAL DIRECTORY

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ACTIONS OF THE
FEDERAL COMMUNICATIONS COMMISSION

JULY 15 TO JULY 28, INCLUSIVE

Decisions . . .

JULY 15

KOB, Albuquerque—Granted extension temp. auth. 10 kw. unl. directional to 8-1-39.

KEX, Portland—Granted auth. unl. 1180 kc 5 kw to 8-1-39.

JULY 18

MISCELLANEOUS—KLO, Ogden, Utah, granted license move station, increase to 1-5 kw directional; WTMC, Ocala, Fla., granted license 1500 kc 100 w unl.; KDRO, Sedalia, Mo., granted mod. CP change equip., new radiator; WLNH, Laconia, N. H., granted license 1310 kc 100 w unl.; WFVA, Fredericksburg, Va., granted mod. CP trans., studio sites, vertical radiator.

JULY 20

MISCELLANEOUS—WEAU, Eau Claire, Wis., granted temp. auth. reduce power; KOB, Albuquerque, N. M., granted extension temp. auth. unl. 1180 kc 10 kw; KEX, Portland, Ore., same, 5 kw.

JULY 21

MISCELLANEOUS—NEW, John F. Arrington Jr., Valdosta, Ga., denied withdrawal without prejudice applic. new station 1230 kc 250 w unl., and dismissed with prejudice; KUTA, Salt Lake City, granted continuance hearing but denied consolidation with other applics.; WKBN, Youngstown, granted dismissal without prejudice applic. mod. license re freq., power, time; NEW, C. T. Sherer Co., Worcester, Mass., granted motion take depositions at Worcester 9-7-39; KECA, Los Angeles, referred to Commission en banc motion withdraw or dismiss applic. move to San Diego and assign license to Worcester Bcstg. Corp.; WPRP, Ponce, P. R., granted intervention Portorican American Bcstg. Co.

JULY 22

MISCELLANEOUS—WQDM, St. Albans, Vt., denied temp. auth. 8-8:30 p.m. in Aug. for baseball; WMAZ, Macon, Ga., denied temp. auth. unl. 1 kw N 7-25-39 to 8-23-39 for civic and other programs.

JULY 25

MISCELLANEOUS — WBNY, Buffalo, granted extension temp. auth. unl. time 7-21-39 to 8-29-39; WADM, St. Albans, Vt., reconsidered action 7-21-39 and granted request 8-8:30 p.m. in August for baseball games.

JULY 26

APPLICATIONS GRANTED:

KHUB, Watsonville,—Cal.—Mod. license to 100-250 w unl.

CBS, New York—Extension authority transmit to Canada.

WOPI, Bristol, Tenn.—CP new equip., increase to 250 w.

WKST, New Castle, Pa.—CP new equip., increase D to 1 kw.

WTAW, College Station, Tex.—Mod. license omit 8-9 p.m. Mondays.

WJBO, Baton Rouge, La.—Mod. license to full unl.

WTIC, Hartford—Extension Simul.—KRLD.

KRLD, Dallas—Extension Simul.—WTIC, mod. exp. auth. increase to 50 kw, and license move trans., new equip., increase to 50 kw.

KVOO, Tulsa—Exp. auth. 1140 kc 25 kw unl. directional N.

WAPI, Birmingham — Extension spec. auth. unl. 1140 kc 5 kw directional N.

KWOH, Shreveport, La.—Extension exp. auth. 1100 kc 50 kw unl. directional N.

WBAL, Baltimore, and KTHS, Hot Springs, Ark.—Extension exp. auth. simultaneous operation.

WDEV, Waterbury, Vt.—Mod. license D to 1 kw.

NBC, New York—Extension auth. transmit to Cuba.

WAZL, Hazleton, Pa.—Mod. license to unl.

WILM, Wilmington, Del.—Mod. license to unl.

WBTH, Williamson, W. Va.—Consent transfer control to W. P. Booker.

WALR, Zanesville, O.—Consent transfer control to W. Va. Bcstg. Corp.

KOME, Tulsa—Vol. assign. license to Capitol Sales Corp.

WESG, Elmira, N. Y.—Extension exp. auth. 850 kc 1 kw D to LS New Orleans.

WBIL, New York—Renewal license.

KRLH, Midland, Tex.—Mod. License to unl.

KIEV, Glendale, Cal.—Temporary renewal license.

NEW, Natl. Life & Accident Insurance Co., Nashville—License facsimile.

NEW, A. H. Belo Corp., Dallas—License facsimile.

KEUB, Price, Utah—Transfer control to Jack Richards and A. W. McKinnon.

KTAT, Fort Worth—Transfer all outstanding common stock to Ruth G. Roosevelt (contingent surrender of license for KFJZ, Fort Worth).

KROW, Oakland, Cal.—Transfer control to W. I. Dumm, Philip G. Lasky, Fred J. Hart, Wallace F. Elliott.

SET FOR HEARING — WSBT, South Bend, Ind.—CP new equip., directional antenna, change 1360 to 930 kc and Sh.—WGES to unl.

TEMPORARY RENEWALS—WESG, Elmira, N. Y.; WJAG, Norfolk, Neb.; KWJJ, Portland, Ore.; WMAQ, Chicago; KVGB, Great Bend, Kan.; KGBU, Ketchikan, Alaska; KTHS, Hot Springs, Ark.; KTRB, Modesto, Cal.; WIBC, Indianapolis; WKAR, E. Lansing, Mich.; WSPR, Springfield, Mass.

MISCELLANEOUS—WHKC, Columbus, dismissed applic. renewal license and granted same; KFDM, Beaumont, Tex., denied reconsideration action 6-30-39 granting KWTO mod. license for increased hours; WRTD, Richmond, Va., denied petition rescind announcement WRTD applic. would be made subject of further hearing "on issues related to interference problem created by pending 5 kw applications" and to consider applic. on present record; WEBC, Duluth, denied change in identification announcements; WLTH, New York, adopted order citing station to show cause why license should not be revoked because of Coast Guard complaint; NEW, Hot Springs Bcstg. Co., Hot Springs, Ark., granted without hearing CP 1310 kc 100-250 w unl., and denied KTHS petition to intervene; WESG, Elmira, N. Y., granted without hearing mod. license 850 kc 1 kw 6 a.m. to LS New Orleans on regular basis; WDGY, Minneapolis, denied grant without hearing of applic. mod. license to unl. 1180 kc 1-5 kw; WSNJ, Bridgeton, N. J., granted license increase to 100-250 w unl.; WBNS, Columbus, granted license facsimile; WALR, Zanesville, O., granted CP trans., site radiator; WPRA, Mayaguez, P. R., granted mod. CP change equip., trans., studio sites approved.

JULY 27

KTEM, Temple, Tex.—Granted mod. license to 100-250 w unl.

NEW, M. L. Medley, Cookeville, Tenn.—Granted CP 1370 kc 100-250 w unl.

WOLS, Florence, S. C.—Mod. license to 1200 kc 100-250 w unl., and renewal license; denied Pee Dee Bcstg. Co. CP 1200 kc 100-250 w unl.

KMJ, Fresno, Cal. — Granted CP new equip., move trans., increase D to 5 kw.

Mutual Broadcasting System — Granted auth. transmit programs to Canada.

NEW, George B. Storer, Pontiac, Mich.; NEW, King-Trendle Bcstg. Corp., Pontiac—Applic. George B. Storer CP 600 kc 250 w unl. dismissed with prejudice; applic. King-Trendle Bcstg. Corp. CP 1440 kc 250 w unl. designated for further hearing because of new Commission rule permitting 5 kw N on 1440 kc.

NEW, Pontiac Bcstg. Co., Pontiac, Mich.—Granted CP 1100 kc 1 kw D.

WAGA, Atlanta—Granted assignment license to Liberty Bcstg. Corp.

NEW, John R. Pepper, Greenville, Miss.—Granted CP 1310 kc 100-250 w unl.

WGTM, Wilson, N. C.—Denied 500 w 1240 kc D only.

WJBL, Decatur, Ill.—Granted consent transfer control to Decatur Newspapers Inc.

WFBG, Altoona, Pa.—Granted mod. license to unl.

WAAF, Chicago—Granted consent transfer control to Ralph W. Dawson et al.

WLTH, WARD, WBBC, Brooklyn—Reargument ordered 10-19-39 in applic. WLTH and WARD for renewal of licenses and WBBC for mod. license, insofar as said applic. asks facilities of WARD and WLTH.

NEW, Orville W. Lyerla, Herrin, Ill.—Granted CP 1310 kc 100-250 w unl.; KFVS, Cape Girardeau, Mo., denied without prejudice applic. 1210 kc 100-250 w unl.; WEBQ, Harrisburg, Ill., denied without prejudice applic. change 1210 to 1310 kc 100-250 w, Sh.-KFVS.

WCMI, Ashland, Ky.—Granted applic. transfer control to Gilmore N. Nunn and J. Lindsay Nunn.

NEW, Bellingham Bcstg. Co., Bellingham, Wash., and KVOS—Postponed hearing scheduled for Aug. 10 to Aug. 16, to be heard by Comm. Payne.

JULY 28

MISCELLANEOUS—WXYZ, Detroit, allowed to withdraw petition to dismiss without prej. or for leave to amend applic. CP increase power to 5 kw.; WDAF, Kansas City, granted motion accept amendment so applic. will be considered as mod. license increase N to 5 kw.

Proposed Decisions . . .

JULY 21

KAND Corsicana, Tex. — Granted increase to unl., denied 250 w N.

KRRV, Sherman, Tex.—Denied change to 880 kc 1 kw unl.

JULY 27

KRSC, Seattle—Granted CP increase to 1 kw unl.

NEW, Thumb Bcstg. Co., Brown City, Mich.—Denied CP 880 kc 1 kw D.

NEW, Niagara Falls Gazette Publishing Co., Niagara Falls, N. Y.—Granted CP 1260 kc 1 kw D.

NEW, Vincennes Newspapers Inc., Vincennes, Ind.—Granted CP 1420 kc 100 w unl.

NEW, Yuba-Sutter Bcstrs., Marysville Cal.—Denied CP 1320 kc 250 w unl. directional N.

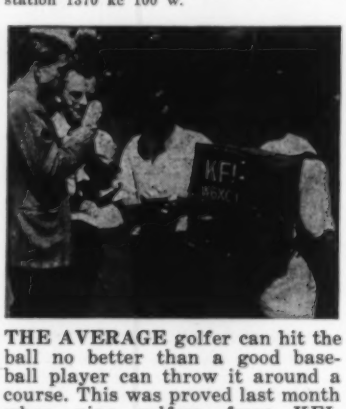
MISCELLANEOUS—Order of 6-21-39 re applications WJBL, WBOW and WJBC amended so WKBL be licensed on 1310 kc on completion of CP as authorized in Docket 5207 and effective date of modified license of WJBC, if and when issued, same date as WJBL is licensed to use 1310 kc; NEW, Worcester Bcstg. Corp., San Diego, granted permission file applic. 1430 kc 1-5 kw and include record of applic. Earle C. Anthony Inc. to assign license; American Communications Assn., New York, dismissed petition intervene and rehearing re applic. Hearst Radio Inc. to assign license of KEHE to Earle C. Anthony Inc.; KECA, Los Angeles, dismissed with prejudice. Earle C. Anthony Inc. to assign KECA license to Worcester Bcstg. Corp. and for CP station in San Diego; American Communications Assn., New York, dismissed petition intervene re applic. assign license KECA etc.; WHDH, Boston, hearing on applic. mod. license to 830 kc 5 kw unl. be held 10-10-39; WHDH denied grant without hearing of its applications; WHDH denied spec. auth. rebroadcast sustaining programs.

Applications . . .

JULY 18

WABI, Bangor, Me.—Mod. license to 250 w unl.

WABY, Albany—Exp. auth. synchronous station 1370 kc 100 w.



THE AVERAGE golfer can hit the ball no better than a good baseball player can throw it around a course. This was proved last month when nine golfers from KFI-KECA, Los Angeles, headed by Harrison Holliway, general manager, and the Hollywood Stars baseball team staged such a match, the unique contest being broadcast over the latter station and the NBC Pacific Blue network. The radio golfers hit the ball according to regulations. The ball players threw it from drive to putt, touring the course in 108 strokes, matching the score turned in by the radio team. Here is the broadcast in action. Jimmy Vandiveer, special events supervisor of the two stations (with mike in hand), is ready to turn over operations to Harrison Holliway. Bernie Milligan, Los Angeles radio editor (center), holds statistics while Ernest Wilmshurst, technician, holds the KFI-KECA pack transmitter.

WSMJ, Bridgeton, N. J.—License new equip., increase power, hours.

WORC, Worcester, Mass.—License directional antenna.

W1XAR, Boston—Mod. license add 6080 and 25600 kc.

WJBK, Detroit—Mod. license to 250 w unl.

WLVA, Lynchburg, Va.—Mod. license to 250 w unl.

WHP, Harrisburg — License increase power etc.

KHBG, Okmulgee, Okla.—Auth. transfer control to Mrs. Lucille Buford, Mrs. S. P. Ross, Sam W. Ross, Paschal Buford.

KRLH, Midland, Tex.—CP to 100-250 w unl., amended to mod. license, and 100 w unl.

KPAC, Port Arthur, Tex.—Mod. CP change freq., hours, antenna, further asking new trans.

KARK, Little Rock, Ark.—License increase power, directional antenna N, change equip.

WTCN, Minneapolis—CP new trans., directional antenna N, change 1250 kc 1-5 kw to 710 kc 10 kw D and N, move trans.

WMAM, Marinette, Wis.—Mod. CP re antenna, studio, trans.

KMJ, Sacramento—Extension facsimile.

NEW, Don Lee Bcstg. System—CP developmental station for mobile operation for long distance relay transmitter feeding to Mutual and Don Lee networks.

JULY 20

NEW, Metropolitan Television, New York—CP television 1 kw.

WPIC, Sharon, Pa.—CP increase 250 w to 1 kw.

WMFO, Decatur, Ala.—Vol. assign. license to Tenn. Valley Bcstg. Co.

WJNO, West Palm Beach — CP new trans.

KWFT, Wichita Falls, Tex.—License new station.

WPTF, Raleigh, N. C.—Mod. license to unl.

KFDM, Beaumont, Tex.—Mod. license to 1 kw unl.

KCKN, Kansas City, Kan.—CP new trans.

KRMD, KMLB, WFOY, KLUF, WDNC, WGNC, WEOA, WHLB, WMFG, KPQ—Mod. licenses to 250 w unl.

JULY 24

NEW, Poughkeepsie Bcstg. Corp., Poughkeepsie, N. Y.—CP 1420 kc 250 w unl.

WCHV, Charlottesville, Va.—Transfer of control to Mrs. Marcia Arrington.

WSPA, Spartanburg, S. C.—CP directional N, change 920 kc D only to 610 kc unl. 1 kw.

NEW, Fort Myers Bcstg. Co., Fort Myers, Fla.—CP 1210 kc 100-250 w unl.

NEW, Dallas Bcstg Corp., Dallas—CP 1370 kc 100-250 w unl.

KSAL, Salina, Kan.—Vol. assign. CP to KSAL Inc.

KIT, Yakima, Wash.—Mod. license N to 1 kw.

WRGA, WAPO, WROL, WSIX, WSTP, WJBC, WSAU—Mod. license N to 250 w.

JULY 27

WCHV, WMBC, WSLI, KCMC, WTRC—CP increase to 250 w unl.

WWSW, Pittsburgh—CP new trans., antenna, amended re antenna and equip.

WJMS, Irowood, Mich.—CP increase to 100-250 w, amended to 250 w unl.

NEW, Valley Bcstg. Co., West Point, Ga.—CP 1310 kc 100-250 w unl., amended to 250 w unl.

WIOD-WMBF, Miami, Fla.—CP change equip.

KWKH, Shreveport, La.—Mod. MSA new trans., increase 10 to 50 kw, requesting changes in equip.

WOI, Ames, Ia.—CP change equip., move trans., studio locally.

NEW, Midland Bcstg. Co., Kansas City—CP television station.

KIRO, Seattle—CP new trans., change antenna, change 650 kc 250 w to 710 kc 5-10 kw, move trans.

KDB, Santa Barbara, Cal.—CP new trans., antenna, change 1500 kc 100-250 w unl. to 1430 kc 1 kw unl.

APPLICATION of WDGY, Minneapolis, that the FCC grant without a hearing its request for full time operation on the 1180 kc. channel in lieu of its present limited time grant, was denied by the FCC July 26. Under special temporary authorization, the station now is operating full time on the frequency [BROADCASTING, July 1].

Network Accounts

All time EDST unless otherwise indicated.

New Business

GULF OIL Corp., Pittsburgh, on Sept. 24 resumes *Screen Guild Show* on 63 CBS stations, Sun., 7:30-8 p. m. Agency: Young & Rubicam, N. Y.

PROCTER & GAMBLE Co., Cincinnati (Teel and Drene), on Sept. 8 starts *Professor Quiz, Fri.*, 7:30-8 on 53 CBS stations. Agency: H. W. Kastor & Sons Adv. Co., Chicago.

LEWIS-HOWE MEDICINE Co., St. Louis (Tums), on July 17 started *Horace Heidt & His Musical Knights* on 56 NBC-Red stations, Mon., 9:30-10 p. m. Agency: Stack-Goble Adv. Agency, Chicago.

MENNEN Co., Newark (shaving cream), on Oct. 20 starts Colonel Stoopnagle's *Quixie Doodle Contest* on 8 MBS stations, Fri., 8-8:30 p. m. Agency: H. W. Kiesewetter Adv. Agency, N. Y.

CONGRESS CIGAR Co., New York (LaPalina cigars), on Sept. 30 starts for 10 weeks *Ed Thorgersen* on 20 MBS stations, Sat., 5:45-6 p. m. (rebroadcast, 6:45-7 p. m.) Agency: Marschalk & Pratt, N. Y.

PROCTER & GAMBLE Co., Cincinnati (Oxydol), on July 31 replaced its *Houseboat Hannah* script show on NBC-Blue with *The Trouble With Marriage*, Mon. thru Fri., 9:45-10 a. m. (CDST) on 6 Blue stations. Agency: Blackett-Sample-Hummert, Chicago.

SOFENZ SALES Corp., Los Angeles (cosmetics), on July 18 started for 13 weeks *Hollywood Highlights* with Sam Hayes commentator, on 12 CBS Pacific Coast stations (KNX KSFO KARM KROY KOY KTUC KIRO KOIN KVI KFPY KFBB KOH) Tues., 11:30-11:45 a. m. Agency: Richard F. Connor Adv., Manhattan Beach, Cal.

CAMPBELL SOUP Co., Camden, N. J. (Franco-American spaghetti), on July 31 starts *Meet the Dixons* on 14 CBS stations, Mon. thru Fri., 9:15-9:30 a. m. Agency: Ruthrauff & Ryan, N. Y.

CAMPBELL SOUP Co., Camden, on Sept. 11 starts *Donna Curtis* on 55 CBS stations, Mon. thru Fri., 11:15-11:30 a. m. (rebroadcast, 2:30-2:45 p. m.). Agency: Ward Wheelock Co., Philadelphia.

COLGATE-PALMOLIVE-PEET Co., Jersey City (Palmolive shaving cream), on Aug. 17 starts *Strange as It Seems* on 54 CBS stations, Thurs., 8:30-9 p.m. (rebroadcast, 11:30-12 midnight). Agency: Benton & Bowles, N. Y.

SUNSET OIL Co., Los Angeles on July 30 started for 52 weeks, *Help Thy Neighbor*, on 8 Southern California Don Lee stations (KHJ KGB KDB KFXM KVOE KXO KPMC KVEC), Sun., 3-3:30 p.m. (PST). Agency: Pacific Market Builders, Los Angeles.

MENNEN Co., Newark (shaving cream), on Oct. 16 starts *Bob Carter's* news on 7 CBS Pacific Coast stations, Mon., Wed., and Fri., 7:30-7:45 p. m. (PST). Agency: H. M. Kiesewetter Adv. Agency, N. Y.

BATHASWEET Corp., New York (soap), on Oct. 16 starts *Bob Carter's* news on 7 CBS Pacific Coast stations, Tues. and Thurs., 7:30-7:45 p. m. (PST). Agency: H. W. Kiesewetter Adv. Agency, N. Y.

TO CREATE consumer attention, Ted Meyers had Tippy, trained toy shepherd dog handle the "commercials" on the July 21 broadcast of his thrice-weekly quarter-hour *Dog Tales* program, sponsored by Canine Specialty Co. (Vi-Ti Dog Kandy), on KHJ, Los Angeles. Tippy was brought before the microphone and after several prearranged howls and barks he was put through a number of commands suited to radio broadcasting. Tippy's commercial was climaxed with rattling food pans and eating sound effects. As a result, canines listening in were sent into excited chasing and barking spells in search of the strange and hidden voice of Tippy, according to several hundred letters received by Meyers from dog owners.

LEVER BROS Co., Cambridge, Mass. (Lifebuoy soap) on Sept. 19 starts *Walter O'Keefe* on 59 CBS and 26 CBC stations, Tues., 8:30-9 p. m. Agency: Ruthrauff & Ryan, N. Y.

SPERRY FLOUR Co., San Francisco (flour), on Aug. 14 starts for 52 weeks *Sam Hayes*, news commentator, on 6 NBC-Pacific Red stations (KFI KPO KGW KOMO KHQ KMJ), Mon. thru Fri., 7:30-7:45 a.m. (PST). Agency: Westco Adv. Co., San Francisco.

PROCTER & GAMBLE Co., Cincinnati (Drene), on Sept. 12 resumes *Jimmie Fidler* on 60 CBS stations, Tuesday., 7:15-7:30 p. m. (rebroadcast, 11:15-11:30 p. m.). Agency: H. W. Kastor & Sons, Chicago.

Renewal Accounts

LOOSE-WILES BISCUIT Co., Long Island City, N. Y., on July 4 for 13 weeks renewed *Sunshine Reporters* on 10 Yankee stations, Tues., Thurs., 7:30-7:45 p. m. Agency: Newell-Emmett Co., N. Y.

MANHATTAN SOAP Co., New York (Sweetheart soap), on July 31 renewed for 52 weeks *Jack Berch & His Boys* on 9 NBC-Blue stations, Mon., Wed., Fri., 10:30-10:45 a. m. Agency: Franklin Bruck Adv. Corp., N. Y.

LEVER BROS. Co., Cambridge, Mass. (Rinso), on Sept. 19 resumes *Big Town* on 59 CBS and 26 CBC stations, Tues., 8-8:30 p. m. Agency: Ruthrauff & Ryan, N. Y.

Network Changes

JOHN H. WOODBURY Co., Cincinnati (soap), on Aug. 25 shifts *The Parker Family* on 33 CBS stations from Fri., 7:15-7:30 p. m. to Thurs., 7:15-7:30 p. m. Agency: Lennen & Mitchell, N. Y.

PHILIP MORRIS & Co., New York, on Sept. 26 adds 13 stations to *Johnny Presents* on NBC-Red, Tues., 8-8:30 p. m. (repeat 11:30 p. m.).

DUNN & McCARTHY Co., Auburn, N. Y. (Enna Jettick shoes), on Aug. 20 adds 8 NBC-Red stations to *Enna Jettick Melodies*, Sun. 5-5:15 p. m.

U. S. RUBBER Co., New York (tires), on Aug. 18 discontinues *99 Men and a Girl* on 82 CBS stations, Fri., 9-9:30 p. m. Agency: Campbell-Ewald Co. of New York.

GEO. A HORMEL Co., Minneapolis (Spam), on Oct. 9 shifts *It Happened in Hollywood* from 25 CBS stations, Mon. Wed. Fri., 11-11:15 a. m. to 30 CBS, Mon. thru Fri., 5:30-5:45 p. m. Agency: BBDO, Minneapolis.

PRUDENTIAL INSURANCE Co. of America, New York, on July 31 moved *When a Girl Marries* on 49 CBS stations, Mon. thru Fri., from 2:45-3 p. m. to 12:15-12:30 p. m. Agency: Benton & Bowles, N. Y.

Wm. WRIGLEY JR. Co., Chicago (gum), on Sept. 11 shifts *Scattergood Baines* on 66 CBS stations, Mon. thru Fri., from 11:15-11:30 a. m. to 5:45-6 p. m. Agency: Neisser-Meyerhoff, Chicago.

QUAKER OATS Co., Chicago (Puffed Wheat), on Aug. 7 for 4 weeks shifts *Dick Tracy* on 64 NBC-Red stations, Sat. 8-8:30 p. m. to 60 NBC-Red, Mon., 8-8:30 p. m. On Sept. 2 the program shifts again to 64 NBC-Red, Sat., 7-7:30 p. m. Agency: Sherman K. Ellis, Chicago.

GENERAL MILLS, Minneapolis (Bisquick), on July 31 moved point of origin for *Betty and Bob* from Chicago to New York, on 30 NBC-Blue stations, Mon. thru Fri., 2-2:15 p.m. Agency: Blackett-Sample-Hummert, Chicago.

FIRESTONE TIRE & RUBBER Co., Akron, on Sept. 25 adds 8 NBC-Red stations to *Voice of Firestone* making a total of 59 NBC-Red, Mon., 8:30-9 p.m. (Pacific Coast, 11:30-12 midnight). Agency: Sweeney & James, Cleveland.

CANADA DRY GINGER ALE, New York (beverages), on Aug. 15 starts a rebroadcast of *Information Please* for 7 NBC-Pacific Blue stations (KGO KECA KFSD KEX KJR KGA KTMS), Tues., midnight-12:30 a. m., via transcription, at the same time dropping 4 stations from the schedule. Original broadcast on 48 NBC-Blue stations, is Tues., 8:30-9 p. m. Agency: J. M. Mathes, N. Y.

SIGNAL OIL Co., Los Angeles (gasoline), on July 30 shifted *Signal Carnival* on 12 NBC-Pacific Red stations, from Tues., 9-9:30 p. m. to Sun. 6:30-7 p. m. (PST). Agency: Barton A. Stebbins Adv., Los Angeles.

GEORGE A. HORMEL & Co., Austin, Minn. (canned foods), on Oct. 9 increases thrice weekly *It Happened in Hollywood*, on 26 CBS stations, to five-weekly, and shifts from 11-11:15 a. m. (EDST), to 5:30-5:45 (EST), Mon. thru Fri. Agency: BBDO, Minneapolis.

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THIRD annual WHO-Iowa State Fair National Tall Corn Sweepstakes is being held again this year by WHO, Des Moines, in connection with the Iowa State Fair, with 14 cash prizes for winners, along with the Col. B. J. Palmer trophy for the grand winner. Requirements state that each entry, a single stalk of corn, must be at least 12 feet 6 inches tall, and must bear one or more mature ears of corn. Entries will be exhibited in the WHO Crystal Studio on the fair grounds during the exposition, according to Herb Plambeck, WHO farm news editor. The cash prizes include $100, $50, $25, four of $10 and seven of $5.

Governors of Illinois, Wisconsin and Indiana are giving silver loving cups to their home-state winners of a tall corn contest announced on WLS, Chicago, with WLS-Prairie Farmer offering a grand silver cup prize to the sweepstakes winner and cash prizes for the first 12 winners in each state, with top prize of $15. Contests are being run in conjunction with the various State fairs which are featuring the *WLS National Barn Dance* artists as opening night headliners. The fairs open, Illinois, Aug. 12; Wisconsin, Aug. 19; Indiana, Sept. 2. Admission to the fair grounds is free after 5 p.m. if a *Barn Dance* ticket is presented, according to WLS.

* * *

Slogan Prizes

KROW, Oakland, recently launched a "Public Interest Slogan Contest". Listeners were asked to submit slogans of ten words or less on any subject in the public interest. Two dollars cash was to be paid for each slogan used — with slogans changed every two days. The slogans are being used on eight station breaks daily now with $1 prizes awarded each day.

* * *

WCKY's 50

ONE HUNDRED full-size signboards have been placed at strategic locations in the Cincinnati territory by WCKY, proclaiming the station's new 50,000-watt power. Formal dedication of the new transmitter is to be held at the approach of the fall radio season.

Photo Finisher

NEW juvenile adventure strip, *Shadow Grabbers*, broadcast at the dinner hour daily by KCMO, Kansas City, provides an unusually appropriate tie-up for the two sponsors, *Kansas City Journal*, and Elko Photo Co., photo finishing firm. Besides supporting a kid's organization, Shadow Grabbers' Club — with membership applications made on special blanks distributed through Elko outlets and accompanied by one new *Journal* subscription — the program also ties into a photo contest for youngsters, with dollar cameras given for additional subscriptions and prizes for winning photos. Dan Kelliher and W. G. Secrist, *Journal* reporters, write the series, which is directed and produced by James Coy.

* * *

Plug at the Fair

VISITORS to the Music Room of the Recreation Bldg. at the Golden Gate International Exposition hear outstanding KPO-KGO programs there through arrangements completed by the San Francisco NBC press division. Listings of KPO-KGO programs are posted daily on the bulletin board in the Music Room and KPO-KGO programs suitable to the purpose of the room are tuned in.

* * *

Menu Tips

MENU BLANKS, carrying along the bottom margin a plug for Vic Rugh's baseball broadcasts and Wheaties and providing space for filling in the regular menu list, are being distributed to downtown restaurants in Tulsa by KTUL.

* * *

Miami Bait

THE biggest fish story, WIOD, Miami, would have you know, via a brochure, was told by the station in May during the Cat Cay tuna tournament. Attached to the brochure describing the coverage was a big tuna hook.

When Retailers Unite

FOR THEIR first unified sales campaign the independent retailers and wholesalers of Vermilion County, Illinois, have contracted for 312 quarter-hours, 624 announcements and 12 special events broadcasts over a 12-month period on WDAN, Danville, Ill., to make housewives in the area more food-conscious. Starting Aug. 1, the radio promotion keynotes the slogan "Be Independent—Buy Independent" and will play up the products, services and goodwill found in the neighborhood store.

* * *

In a Nutshell

TO AID inexperienced broadcasters in avoiding "mike fright", and to acquaint them with a few simple rules of radio technique, Charles Worcester, farm service director of WNAX, Yankton, S. D., has prepared a mimeographed pamphlet, "One Easy Lesson", for distribution to broadcasting tenderfeet, including extension workers, 4-H club leaders and heads of other farm organizations using the station.

* * *

Tie-up With Postal

WPEN, Philadelphia, has a new tie-up with Postal Telegraph under which the telegraph company displays posters in all its offices in the Philadelphia territory calling attention to *920 Club*, conducted by Sandy Guyer, and *Night Club of the Air*, conducted by Joe Dillon on the station. In return both Guyer and Dillon plug Postal service, suggesting that listeners use it to send in requests.

* * *

Recording Scheme

TRANSTUDIO RECORDING Corp., Buffalo, has a tieup with the *Buffalo Times* by which *Times* readers are offered an opportunity to make aluminum recordings, 2½ minutes on each side, for five coupons from the newspaper and 85 cents. The newspaper remits the entire 85 cents to the recording firm, which obtains considerable newspaper as well as word-of-mouth publicity.

* * *

Successfully Simonized

WMAQ, Chicago, has issued another promotion in a series titled "They Stay Where It Pays". The cardboard, three-color folder is built around the success story of the Simoniz Co. which recently completed its fourth year of half-hour Sunday morning broadcasts on WMAQ. Emmons Carlson, sales promotion manager of NBC-Chicago, designed the piece.

* * *

A Dollar a Spot

THE "sold out" sign was hung up by KWLK, Longview, Wash. recently. The Retail Merchants Assn. of the city held a series of Dollar Days and KWLK cooperated by offering spot announcements at a dollar each until time out. A limit of five announcements to each business was imposed but all available time was sold out in one afternoon.

For Richfield

RICHFIELD OIL Corp., Los Angeles, sponsoring *Richfield Reporter* on 7 NBC-Pacific Red stations for more than seven years, as promotion for its five-weekly quarter-hour news broadcasts, on July 3 sent John Wald and Ken Barton, commentators, on a three-week personal appearance tour to Pacific Coast key cities. Besides their nightly broadcasts, they are speaking before service clubs and luncheon groups. In addition they are also being heard on local personal interview broadcasts from each city. Wayne Miller, news editor, and Robert Hixson, executive of Hixson-O'Donnell Adv., Los Angeles, agency servicing the Richfield account, are accompanying the duo.

* * *

Little Loaves for Little Folks

BASEBALL CLINIC for youngsters, held at playgrounds throughout Little Rock, Ark., and conducted by Benny Craig, KARK sports announcer, was started recently on a full summer schedule as promotion for Colonial Bread, which sponsors baseball broadcasts on the station. The clinic features personal appearances of members of the Little Rock Travelers baseball club who handle the instruction. Miniature loaves of Colonial Bread are passed out at each session.

* * *

Salt Lake Sendoff

OPENING of a new store of Pembroke Co., large Salt Lake City stationery supply firm, was given a big radio sendoff by KDYL, Salt Lake City, with ten five-minute remote pickups handled by John Woolf, staff announcer, direct from the sales floor during the opening hours. Interviews with department heads and customers, along with descriptions of appointments and merchandise painted a complete picture of opening day activities. The firm reported the biggest public attendance in its history.

* * *

Fair Book as Premium

OFFICIAL souvenir book of the New York World's Fair is currently being offered to listeners for 5 cents by Bert Lee on his *Today's Baseball* program, sponsored by Gillette Safety Razor Co., and heard nightly on WHN, New York. Book sells for $1.13 at the Fair.

SCOREBOARD for big league baseball games, maintained daily by Bill Brown, sports editor of WHO, Des Moines, is located in the window of a store adjoining WHO studios and offices. Prominently displayed are General Mills' products, Wheaties and Bisquick, along with photographs of the 1939 WHO Golden Gloves Tournament, the only official Golden Gloves meet conducted under the auspices of a radio station.

BROCHURES

WOW, Omaha: Distortion map analyzing station coverage and a graphic brochure analyzing a recent listener survey in the territory.

WOWO, Fort Wayne, Ind.: Four-page mailing piece, "It Isn't Complete Without It".

WOL, Washington: Goodwill promotion folder, "What's All the Fighting About?"

KMBC, Kansas City: Direct mail folder, "150 Thousand Ain't Hay", promoting local and network-originated shows of KMBC talent.

WHBL, Sheboygan, Wis.: Folder showing economic data.

KDKA, Pittsburgh: Blue-and-green promotion folder combining coverage statistics with a listing of programs available for sponsorship.

WSAL, Salisbury, Md.—Coverage of Delmarva Peninsula depicted, with market data.

WQXR, New York—Study of buying and listening habits of cross-section audience based on survey of 10,000 buyers of station's program booklet.

SEVEN ADDITIONAL MARKETS BEING STUDIED . . .

We realize now that, almost imperceptibly during very recent weeks, there has developed an increasing tendency on the part of advertisers and agencies to think of WLW as a 13-market Station only. This is undoubtedly due to the widespread interest and distribution of our recently concluded Ross Federal-Alberta Burke 140,000 call Coincidental Study of 13 Markets.

We have, therefore, contracted with the Ross Federal Research Corporation to conduct an identical type of survey in the following additional, important markets:

Markets	Population of Trading Zone Area*
Anderson, Indiana	84,936
Huntington, West Virginia	175,000
Marion, Indiana	91,472
Portsmouth, Ohio	120,505
Zanesville, Ohio	126,433
Marion, Ohio	135,578
Ironton, Ohio-Ashland, Kentucky	149,584
	883,508

*ABC Trading Zone areas as listed in Standard Rate and Data, nationally known publication.

The importance of the 883,508 persons represented in these combined trading zone areas—(grouped into a single market they would constitute a population larger than that of a city the size of Boston, Mass.)—and the millions of dollars they spend annually, can hardly be overestimated.

The facts gathered from this Survey will be added to our growing file of important market data, and, when the tabulations are completed we propose, as in the past, to make available all of the facts about all of the markets, regardless of what those facts may be.

IF YOU have not received the first Study of our 13-Market Survey, and would care to have this plus the additional 7-Market Study, please write — or call

TRANSAMERICAN BROADCASTING AND TELEVISION CORPORATION

NEW YORK CHICAGO HOLLYWOOD

or

WLW . . . THE NATION'S STATION

SEE THE CROSLEY BUILDING AT THE NEW YORK WORLD'S FAIR

NEW MAGIC FOR THE ELECTRIC EYE

Stability PLUS Dependability ON DIRECT OPERATION from a Phototube

One Tube

. . . With the New RCA HOT-CATHODE GAS TETRODES

Having extreme sensitivity and outstanding stability over a wide range of anode voltage, the new RCA-2050 and RCA-2051 gas-filled tetrode tubes of the indirectly heated, hot-cathode type, pave the way for important savings in grid-controlled rectifier and relay applications. They are particularly adapted for use in control devices actuated either by phototubes or radio signals.

Grid current is extremely low, permitting high grid resistance to be used in the grid circuit. The resulting high sensitivity permits the tube to be operated directly by a vacuum-type phototube, as shown in Diagram No. 1, thus eliminating one or more tubes previously required in conventional circuits (Diagram No. 2).

The control characteristic is very steep, having a control ratio of approximately 325. Only low values of grid-bias voltage are required. A very small grid-anode capacitance makes the tubes insensitive to line voltage surges and minimizes the undesirable effect of capacitance current flowing through the grid resistance.

Now ready for delivery, the tubes are detailed in an engineering folder available from RCA Commercial Engineering Section, Harrison, N. J.

TYPICAL LIGHT-OPERATED RELAY CIRCUIT

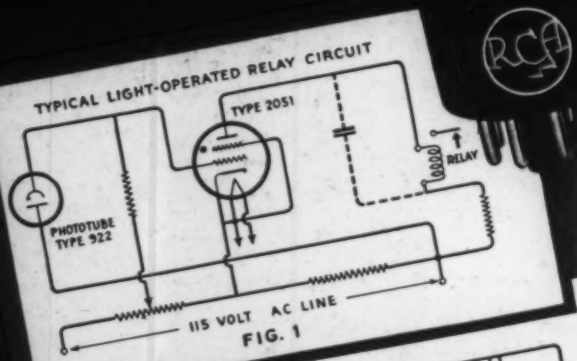

FIG. 1

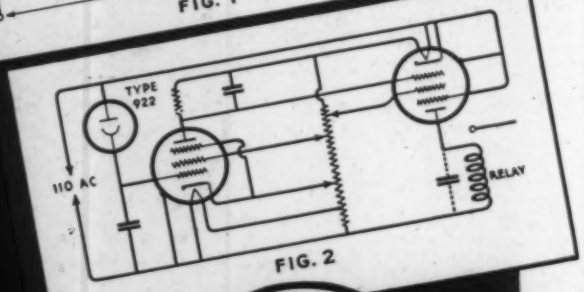

FIG. 2

RCA-2050—Used to control up to 650 volts peak and will handle a peak current of 500 ma. and an average current of 100 ma.

RCA-2051—Used to control up to 350 volts peak and will handle a peak current of 375 ma. and an average current of 75 ma.

The above illustration of RCA-2050 is approximately actual size. Each tube has small, ST-12 bulb, uses standard octal base and is of extremely rugged construction.

CHARACTERISTICS

	Type 2050	Type 2051
HEATER VOLTAGE	6.3	6.3 Volts
HEATER CURRENT	0.6	0.6 Amperes
PEAK ANODE VOLTAGE (Max.)	650	350 Volts
PEAK ANODE CURRENT (Max.)	500	375 Ma.
AVERAGE ANODE CURRENT (Max.)	100	75 Ma.
GRID RESISTOR (Max.)	10	10 Megohms

Visit RCA Television Exhibits at Golden Gate International Exposition and New York World's Fair.

RCA

Radio Tubes

RCA MANUFACTURING CO., INC., CAMDEN, N. J.
A Service of The Radio Corporation of America

FIRST IN METAL—FOREMOST IN GLASS—FINEST IN PERFORMANCE

BROADCASTING

Broadcast Advertising

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AUGUST 15, 1939
WASHINGTON, D.C.

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$3.00 the Year
15c the Copy

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A Wise Old Owl Sits In A Tree Saying "Who Covers Iowa?" Who? WHO!

Dr. H. B. Summers' tremendous 1939 Iowa Radio Audience Survey is all finished—and, among other interesting points, the results show such a landslide for WHO that we're almost too modest to mention them!

Seriously, we believe that no matter how much you've always preferred WHO, you'll still be amazed at the 1939 figures. In 80 of Iowa's 99 counties, WHO is "heard regularly" by 85% or more of the total daytime radio audience! Here's how it works out for the entire State (daytime):

80	**counties**	**report**	**WHO**	**"heard**	**regularly"**	**by**	**85%**	**to**	**100%**	**of**	**radio**	**families**
10	"	"	"	"	"	"	**70%**	**to**	**85%**	"	"	"
3	"	"	"	"	"	"	**50%**	**to**	**70%**	"	"	"
2	"	"	"	"	"	"	**25%**	**to**	**50%**	"	"	"
4	"	"	"	"	"	"	**18%**	**to**	**25%**	"	"	"

In 93% of Iowa's counties, WHO is "heard regularly" or "listened to most" by more than 50% of the total audience . . . And from a *population* standpoint, WHO's Iowa coverage is even more impressive, because *our* best counties are about the most populous counties in the State!

In other words, WHO gives you virtually ALL of Iowa, at one low cost. If you want really to cover Iowa, there's no other choice.

WHO

+ *for* IOWA PLUS! +

DES MOINES . . . 50,000 WATTS
J. O. MALAND, MANAGER
FREE & PETERS, INC., National Representatives